



## NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY

7500 GEOINT Drive  
Springfield, Virginia 22150

NGA-2016-FOI-00032

DEC 08 2016

American Civil Liberties Union  
Attn: Mr. Benjamin Good  
125 Broad Street, 18<sup>th</sup> Floor's  
New York, NY 10004

RE: Freedom of Information Act (FOIA) Request 2016-FOI-00032; ACLU v. CIA, 16-cv-1256 (D.D.C.)

Dear Mr. Good:

On March 3, 2016, you filed a FOIA request with the National Geospatial-Intelligence Agency (NGA) and various other Federal agencies seeking information regarding the prepublication review processes utilized by the Intelligence Community. That request resulted in the lawsuit captioned above. The November 4, 2016 Joint Proposed Scheduling Order in that litigation directs NGA to process approximately 96 pages of potentially responsive records and to provide the agency's response to you by December 8, 2016. This letter and its enclosures constitute that response.

After a careful review of the records, NGA has determined that 73 of those pages are in fact responsive, and those records are being provided to you in the enclosures. Some of the information contained within those pages is being withheld because it is protected from release under FOIA exemptions (b)(3) and (b)(6). FOIA exemption (b)(3) applies to information exempt from disclosure by a Federal statute establishing particular criteria for withholding. In this case, 10 U.S.C. § 424 authorizes NGA to withhold the names, office symbols, and job titles of NGA employees. FOIA exemption (b)(6) protects all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy."

If you have any questions about this release, you may contact Steven D. Canady at (571) 557-4141 or e-mail him at [FOIANGA@nga.mil](mailto:FOIANGA@nga.mil).

Subsequent releases will be made to you in accordance with the terms of the November 16, 2016 proposed order and any additional orders entered by the court.

Sincerely,

TAMMY OSBORN,  
Branch Chief, Declassification Management Program &  
FOIA/PA Program Manager

Enclosures

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CID: U-2015-01409			NGA STAFF SUMMARY SHEET FOR KEY COMPONENT COORDINATION			Revised 29 OCT 2014		
TO	FOR	SIGNATURE / DATE	TO	FOR	SIGNATURE / DATE	TO	FOR	SIGNATURE / DATE
A	COORD	(b)	ODE	INFO				
IA	COORD	(3):10 U.S.C. § 424	OGM	INFO				
OCC	COORD		OIG	INFO				
OGS	COORD		OND	INFO				
OGC	COORD	4/30/15	ONE	INFO				
SI	COORD		OPG	INFO				
FM	INFO		PAE	INFO				
HD	INFO		S	INFO				
I	INFO		TYCIO	INFO				
MS	INFO		X	INFO				
NOC	INFO							

N-CERTS START DATE: 20 APR 2015	(b)(3):10 U.S.C. § 424	DUE TO OPR BY COLLABS: 29 APR 2015	DATE DELIVERED TO ONE:	DUE TO FINAL SIGNATORY:	DUE TO EXTERNAL ORG: DUE:
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SUBJECT: FOR ACTION: Final Coordination: NGA Instruction (NGAI) 5720.1, "Clearance for Public Release"

SUMMARY:

- Purpose. Key Component Directors or Deputy Directors are requested to review draft NGAI 5720.1, "Clearance for Public Release," and provide a signed SSS indicating concurrence or non-concurrence. Comments may be added to the attached comments matrix. The Deputy Director, NGA (DD/NGA), has mandated that this policy, and all draft policies related to Office of the Inspector General (OIG) finding recommendations, will be signed and posted by 15 May. No extensions will be granted and an absence of a signed SSS indicates concurrence.
- Discussion. This instruction codifies NGA's responsibilities and procedures for the review of NGA information intended for public release in order to prevent the unintended release of classified or sensitive unclassified information.
  - Background. This policy addresses the OIG findings and recommendations in OIG Report Number OIG-13-02, "Inspection of NGA Clearance Process for Public Release," February 2013, and incorporates and rescinds NGAI 5720.1R10, "Clearance for Public Release," 8 December 2008.
  - Coordination. This policy will only receive one round of N-CERTS coordination to comply with the time-sensitive DD/NGA mandate. No extensions will be granted and an absence of a signed SSS indicates concurrence. Signed SSSs will be included in a staff package for routing to the Front Office.
  - Impact and Additional Information. None.
- Commitments. None.
- Tabs.
  - NGAI 5720.1, "Clearance for Public Release"
  - NGAI 5720.1, "Clearance for Public Release," Comments Matrix

THIS PACKAGE IS READY FOR KC COLLABORATION:

(b)(3):10 U.S.C. § 424

Date: April 20, 2015

Deputy Chief of Staff

ONE USE ONLY	ON TIME	IC COI	IC EY	COM-IP	COM-AV	S/C	II/O	S/O	CLASS	FORM	REC'D	AM RVW	EDY 1	EDY 2
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2009-2013  
Records

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CASE NUMBER	DATE RECEIVED		SUBMISSION TYPE	TITLE	AUTHOR	OFFICE	REVIEWERS	STATUS	NOTES/REMARKS	RETURNED DATE
09-164	2/6/2009	3/6/2009	thesis	thesis "The Use of Counterintelligence in the War on Terror: Deny, Deceive, Exploit, Reform"/prp	(b)(3):10 U.S.C. § 424,(b)(6)	PREI	SIS, SIC, OGC, PYAV	CLOSED	CLEARED w obj: fax to sub on Mon 09 Mar 09/whb	3/9/2009
09-230	3/17/2009	4/2/2009	thesis	"At A Crossroads with Iran: Sanctions, Military Action, or Engagement" Being submitted for Masters of Govt. degree at Johns Hopkins.		PMHC	OGC, SIS, SIC	CLOSED	CLEARED without objections. Faxed to submitter on this date. whb	3/27/2009
09-399	7/13/2009	7/30/2009	textbook chapter	textbook chapter; "SNOW LEOPARDS & CADASTRES: RARE SIGHTINGS IN POST-CONFLICT AFGHANISTAN" for a chapter in New Environmental Law Institute volume/whb		PRP	OIP, OGC, SIC & SIS	CLOSED	CLEARED w/o obj: faxed to sub on Thurs 30 Jul 09/whb	7/30/2009
09-506	9/11/2009	9/17/2009	school paper	academic paper for NDU program; "ENTERPRISE DATABASE/EDB IMPROVEMENT PROJECT/INFO TECH PROJECT MANAGEMENT"/whb		EBF	OCCEP	CLOSED	CLEARED w/o obj/s; results faxed to Thurs 17 Sept 09/whb	9/17/2009
10-003	9/2/2009	10/27/2009	academic paper	master's (in partial fulfill., etc.) program @ GU; "TERRORISM, THE USE OF FORCE & PAKISTAN'S FEDERALLY-ADMINISTERED TRIBAL AREAS/FATA: THE STATUS OF INTERNATIONAL LAW & ITS APPLICATION"/whb		PTGS	OIP, SIS, SIC & OGC	CLOSED	CLEARED w/o obj/s; faxed to sub on Thurs 29 Oct 09/whb	10/29/2009
10-079	11/20/2009	12/8/2009	academic paper	academic paper; "THE UNIVERSAL LIDAR ERROR MODEL: IMPLEMENTATION & EXPLOITATION"/whb		IBR	SIS, SIC, OGC, OIP & PL	CLOSED	CLEARED w/o obj/s; faxed to sub on Wed 2 Dec 09/whb	12/2/2009
10-114	12/16/2009	12/22/2009	Thesis	"Processing of Synthetic Aperture Radar Data as Applied to the Characterization of Localized Deformation Features" Thesis for submission to the University of Missouri.		Innovision	PYAV	CLOSED	CLEARED without objection. Faxed to submitter on this date. prp	12/22/2009
10-248	4/5/2010	4/19/2010	manuscript	"Spatial Footprint and Magnitude of Recycles Waer Fluxes Downwind of Lake Michigan" Manuscript written by an NGA IC postdoc.		IB	SIS, SIC, OGC	CLOSED	CLEARED without objection. Faxed to submitter on this date and called. prp	4/23/2010
10-253	4/13/2010	4/27/2010	thesis	Competition Among States: Case Studies in the Political Role of Remote Sensing Capabilities" Thesis for Catholic Univ.		ABB	OIP, OGC, SIS, SIC, CLASS MNGMT	CLOSED	CLEARED w/o objection. Called and faxed to submitter on this date. mww	4/28/2010
10-258	4/13/2010	5/11/2010	thesis	"Polarmetric Radar Processing of AIRSAR Imagery from Los Angeles Basin" Thesis for submission to Univ. of Missouri.		PL	OIP, OGC, SIS, SIC, PL, PYAV	CLOSED	CLEARED without objection. Sent not to submitter on this date. prp	5/25/2010
10-268	4/22/2010	5/27/2010	thesis	"Playing the Bad Guy: How do Organizations Develop, Apply, and Measure Red Teams?" Thesis submission to VA Tech for Phd. Based on prospectus reviewed under 10-078.		FMR	SIS, SIC, OGC, D&D, Class Mgmnt	CLOSED	CLEARED with proviso for further external coordination. Sent note to submitter on this date. Also awaiting actual 5230-L. prp	6/7/2010
10-272	4/28/2010	4/30/2010	thesis proposal	"The Role of Leadership in Supporting Work-Life Balance in the Federal Government" Thesis for Phoenix Univ Phd.		ENEA	OGC, SIS, SIC	CLOSED	CLEARED without objection. Sent e-mail and faxed to Diane on this date. Prp Final chapters approved on 4/19/2011 prp	4/30/2010 Final version approved on 4/19/2011
10-307	5/24/2010	6/7/2010	Thesis	CURTAILING PIRACY OFF THE HORN OF AFRICA		OGC	OIP, SIS, SIC, OGC, PYAV	CLOSED	CLEARED without objection. Sent e-mail and faxed to submitter on this date. prp	6/14/2010
10-394	8/17/2010	9/14/2010	thesis	"Competition and Taxpayer Dollars: The Inextricable Link and the Case for Maximum Competition" Thesis for submission to the George Washington University. No input from Innovision although I tasked two times and spoke to (b)(3):10 (U) prp		OGC	SIS, SIC, OGC, Innovision	CLOSED	CLEARED with proviso to add disclaimer. Sent e-mail and provided hardcopy to Jill on this date. prp	10/21/2010
11-075	11/15/2010	11/17/2010	thesis	"Targeting Error in Modern Airpower Fratricide" Masters Thesis Georgetown Univ.		PEAE	SIS, Class Mgmnt	CLOSED	CLEARED without objection. Sent e-mail to submitter on this date. prp	11/18/2010

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11-117	1/7/2011	1/10/2011	Thesis Abstract	"Is the Deficit Our National Security Doom?" Abstract for master's thesis	(b)(3):10 U.S.C. § 424,(b)(6)	PS	OPSEC, Class Man	CLOSED	CLEARED without objection. Sent e-mail to submitter on this date. prp	1/10/2011
11-129	1/20/2011	1/28/2011	Briefing	"Geolocation Accuracy Evaluations of Commercial Satellite Imagery: Challenges and Results." Briefing being presented by (b)(3):10 U.S.C. § 424,(b)(6) for NGA at the Annual American Astronautical Society (AAS) Guidance and Control conference. There will also be an associated paper of the same title.(11-129).		AEQ	OIP, OGC, SIS, SIC, D&D	CLOSED	CLEARED with proviso to clean up style.	1/31/2011
11-131	1/20/2011	2/8/2011	thesis	"Multi-index, Multi-Object Content-Bases Retrieval with spatial Summarization" Thesis by Matt Klaric based on NGA grant (b)(3):10 U.S.C. § 424,(b)(6)		ACT	OIP, OGC, SIS, SIC, PL	CLOSED	CLEARED with provisos. Sent e-mail to submitter on this date. prp	2/23/2011
12-069	11/21/2011	11/28/2011	thesis	"An Assessment of GPS L-S Signal Based on Multiple Vendor Receivers"		SBGO	SIC, SIS, OGC D&D	CLOSED	CLEARED without objection. Sent e-mail to Damian on this date. Prp	11/30/2011
12-165	2/16/2012	3/12/2012	thesis	Analysis of Techniques Used to Generate Land Cover/USE Classification Using Multi-Wavelength Quad Polarized Radar"		OCIO	SIS, SIC, OIA, Class Mngmnt	CLOSED	Approved without objection. Mww	3/12/2012
12-201	3/13/2012	3/23/2012	thesis	A Contextual-Organizational Collaboration Model for Geospatial Information Sharing: Case Studies from Indiana, Montana, New York, and North Carolina"		PACN		CLOSED	Approved without objection. Prp	12/26/2012
12-235	3/29/2012	4/18/2012	thesis	Evaluation of Spatial and Data Quality Aspects of Volunteered Geospatial Data		WX		CLOSED	CLEARED w/no objections. Emailed this date. Mww	4/20/2012
12-268	4/24/2012	4/30/2012	thesis	Hurricane Intesification Implications from African Dust		OCCE	SIS, P	CLOSED	CLEARED without objection. Sent note to submitter on this date. Prp	5/1/2012
12-314	5/15/2012	5/18/2012	paper	Large Scale Land Acquisitions in sub-Sahara Africa		PSID	SIS, SIC, P, OIA,	CLOSED	CLEARED w/provisos. Remove Nextview license from slides 37-40. Mark those slides as DigitalGlobe. Email this date. MWW	5/24/2012
12-518	9/26/2012	10/10/2012	thesis	Spatial Relationships as a part of feature ontologies		T	SIS, SIC, SISCC, P	CLOSED	CLEARED without objection. Sent e-mail to submitter on this date. prp	10/15/2012
13-007	10/1/2012	11/1/2012	thesis	Improving vegetation and Background...Discrimination from HRS and LIDAR Fusion using addedSWIR Component		IBE	P SIS SIC OIA OGC	CLOSED	CLEARED without objection. Sent note to submitter on this date. Prp	11/6/2012
13-113	12/18/2012	12/21/2012	academic paper	Journalism and Detention Within the United States		PVIM	SIS, OGC, OIA	CLOSED	CLEARED without objection. Sent note to submitter on this date. Prp	12/21/2012
13-125	1/8/2013	2/5/2013	dissertation	Characterizing methane emissions at local scales with a 20 year total		PLSS	SIS, SIC, P, OIA, OGC	CLOSED	CLEARED without objection. Sent e-mail to submitter on this date. prp	2/6/2013
13-219	2/25/2013	3/20/2013	dissertation	Evaluating the Utility of volunteered Geographic Information Through Enhanced Data Understanding		OCIO	SIC, SIS, OIA, OGC, P, SISCC, (b)(3):10 U.S.C. § 424,(b)(6) OCCV	CLOSED	CLEARED without objection. SISCC input very late. Sent note to submitter on this date.	4/3/2013
13-190	2/7/2013	2/21/2013	thesis	Fusion centers:mission impossible or mission improbable?		SICTR	SIS, SIC, P, OIA, OGC	CLOSED	CLEARED without objection. Sent e-mail to submitter on this date. DMR	2/22/2013
13-431	8/1/2013	8/16/2013	thesis paper	RETHINKING PSYCHOLOGICAL OPERATIONS AND POLITICAL MESSAGING: A UNIVERSAL FRAMEWORK			SIS, SIC, OGC, OIA, A, (b)(3):10 U.S.C. § 424,(b)(6)	CLOSED	CLEARED without objection. Sent e-mail to submitter on this date. Prp	8/19/2013

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13-432	8/1/2013	8/16/2013	thesis paper	CASH FOR PEACE: ECONOMIC FACTORS IN THE ARAB-ISRAELI PEACE PROCESS	(b)(3):10 U.S.C. § 424,(b)(6)	SIS, SIC, OGC, OIA, A (b)(3) (b)(3):10	CLOSED	CLEARED without objection. Sent e-mail to submitter on this date.prp	8/19/2013
13-440	8/14/2013	8/28/2013	thesis	Does Proximity Matter: the Relationship between the U.S. Intelligence Community and Senior Policy Makers		SIS, SIC, OGC, SISCC (b)(3) (b)(3):10 U	CLOSED	Approved without objection. SISCC never responded. Note sent to submitter on this date. DMR	9/16/2013
13-447	8/16/2013	9/4/2013	thesis	Interdisciplinary collaborative learning: Enabling a Culture of Integration within the United States Intelligence Community		SIS, SIC, OGC, SISCC (b)(3) (b)(3):10 U	CLOSED	CLEARED with no objections by PP	9/26/2013
13-486	9/16/2013	9/30/2013	thesis proposal	Towards a New Model of Polycentric Statehood		SIS, SIC, OGC, A (b)(3) (b)(3):10 U	CLOSED	CLEARED w/no objections. Sent email to submitter on this date. DMR	10/22/2013

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## **NGA Instruction for Clearance for Public Release**

### **1. References.**

a. Primary. NGA PD 5600R5, Policy Directive for Government and Public Interactions, 16 January 2008.

b. Secondary. Secondary references are listed in appendix 1.

**2. Purpose.** Establish guidance, requirements, and procedures for clearing information about NGA activities and operations for public release. This instruction supersedes NI 5720.1R9, same title, 16 January 2008.

**3. Policy.** Authorized release of information to one member of the general public, including release by electronic means, is considered a release to all members of the public and subject to the constraints and burdens of public release.

**4. Applicability and Scope.** This instruction applies to all NGA organizations and to contractors, academic institutions, and other Federal Agencies implementing formal and informal arrangements with NGA. This instruction applies to public release of any information (print or electronic) owned by or in the possession of NGA. Two exemptions from the public release review are

a. Certain contract-related documents in order to fulfill Federal or DoD requirements to publicly disseminate information regarding proposed contract actions, contract awards, and other procurement-related matters by separate review.

b. Standard job announcements posted by the Human Development Directorate (HD) on the NGA Internet or other public venues.

**5. Definitions.** Definitions are located in appendix 2.

### **6. Responsibilities.**

a. Office of Corporate Communications (OCC), GEOINT and Visual Communications East Division (OCCE), Public Affairs Branch (OCCEP).

(1) Administers public release policy and coordinates the review of all print and electronic information regarding NGA mission and functions intended for public release, including release to the media. OCCEP coordinates all NGA contacts with the media.

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(2) Ensures that information is consistent with established defense, intelligence, and national policies, clearing information through the DoD Director of Washington Headquarters Services (WHS) according to appendix 1, reference 2, and through the Central Intelligence Agency Public Affairs Office (CIA(PA)), as required.

b. Authors and submitters.

(1) Initiate the clearance for release process by submitting a completed NGA Form 5230-1, National Geospatial-Intelligence Agency Request for Clearance for Public Release, to OCCEP through organization channels.

(2) Obtain clearance of NGA information prior to transmitting or presenting it in any form outside the U.S. Government channels or any venue that includes the public.

(3) Allow appropriate lead time following the guidelines summarized in appendix 3. While it may be possible, in emergency situations, to complete a release review more quickly than the guidelines table indicates, requesters do not receive clearance for release without a sufficient review.

c. Submitting organizations perform an initial internal review of information prior to its submission to OCCEP. An approving official in the submitting organization with appropriate expertise and authority certifies that the information is technically accurate, does not contain classified or sensitive information, and is appropriate for the intended audience and the release venue.

d. The Office of the General Counsel (OGC) reviews all information intended for public release for legal sufficiency and implications for release under the requirements of the Freedom of Information Act (FOIA) and Privacy Act.

e. The Office of International Affairs and Policy (OIP) Associate Director for Disclosure (ADD-D) reviews all public release requests for standard GEOINT products or requests containing embedded geospatial products, imagery, and derived products; requests for restricted products; or where exceptions to D&R standing authority is in question with regard to NGA GEOINT products. Where necessary, OIP ADD-D will consult with managers of international programs to ensure that D&R decisions are consistent with the requirements of existing international agreements.

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- f. The Security and Installation Operations Directorate (SI) reviews all information intended for public release for compliance with existing security constraints, consistent with the NGA Security Classification Guide (appendix 1, reference 7), operational security (OPSEC), and counterintelligence concerns.
- g. The Acquisition Directorate, Acquisition Contracts Office (AC) conducts an internal review and coordinates contract-related documents that are exempt from public release review requirements with security personnel to ensure that classified information or other sensitive national security information is not revealed.
- h. OCCEP reviews all information intended for release on public web sites and facilitates review of electronic submissions. For all NGA websites, Enterprise Operations Directorate (E) web administrators provide technical guidance to web authors and, in cooperation with OCR Corporate Communications Division (OCRN), establishes style and format standards for the Agency's electronic offerings.

**7. Procedures.**

- a. The print or electronic information may be concerning or affecting the plans, policies, programs, or operations of DoD, the IC, or U.S. Government in general or NGA in particular. Examples of information requiring review include abstracts, articles, technical papers, training materials, reports, speeches, news releases, briefings, meeting announcements, meeting minutes, unclassified congressional testimonies, videotapes, CDs, DVDs, brochures, pamphlets, slide presentations, photographs, academic theses and term papers, and general information intended for release on the public Internet.
- b. The Human Development Directorate (HD) process requires that submitters of job announcements for HD posting must certify the announcements are unclassified and appropriate for public release prior to HD acceptance. It should be noted that HD-developed recruitment materials (brochures, pamphlets, briefings, etc.) are not exempt from public release review process.
- c. NGA mission and functions information and geospatial intelligence and geospatial products intended for public release by any means (including print and broadcast media, professional conferences, and electronic networks) is subject to review by NGA and relevant outside Agencies. Once cleared, information may be released repeatedly without additional review unless new information is introduced or old information is deleted, changing the conclusions or impressions of the original approved copy.

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d. Interviews, queries, or other contact with the news media regarding NGA information must be referred to OCCEP. OCCEP verifies, on request from NGA personnel, whether a given item has been previously cleared for release.

e. Articles, papers, news releases, films, videotapes, or advertisements prepared by a contractor, a Federal Agency, or an academic organization under the terms of a contract, an agreement, an MOU, a grant (unless specifically exempted), or nontraditional procurement with NGA must be reviewed and cleared for release before their publication. In unique circumstances, the prepublication review requirement may be waived, for example, for contracts or grants with universities and non-profit organizations having no access to NGA For Official Use Only (FOUO) products or information. In those instances, a copy of the article, paper, or report is provided to OCCEP at the time of its submission for publication.

f. The web provides NGA with a powerful tool to convey information quickly and efficiently on a broad range of topics. The mission benefits of the web must be carefully balanced with the potential risk to NGA interests through comprehensive risk management procedures. Each organization with a public web site must implement technical security practices in consultation with the Office of the Chief Information Officer. Information (textual, graphic, audio, video, or tabular) in electronic form that has not been previously cleared for release is subject to the formal review process. This requirement applies to all information intended for electronic posting on authorized web sites including the NGA home page.

g. NGA personnel often participate in forums that are not open to the public, such as closed technical meetings with other federal Agencies and industry. During these forums, participants develop information such as meeting minutes, agendas, event schedules, and lists of action items. This information cannot be made available to participants or others through public venues (such as public web sites). Initial approval to create a web site is not implied approval to release information that has not been formally cleared for release.

h. AC and other relevant organizations ensure that the security clause of any Agency agreement requires submission to OCCEP (through the contracting officer) of any information intended for public release. This requirement applies to any NGA contract, agreement, memorandum of understanding (MOU), grant, or nontraditional procurement or any similar arrangements over which NGA exercises operational control. However, publication review can be waived for articles resulting from routine research and development grants to a research or academic institution to advance the professional field. In such cases, AC and other involved NGA organizations ensure that this is clear in the security clause.

i. Non-electronic release.

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(1) OCCEP coordinates on all NGA memorandums calling for abstracts and professional or technical papers to ensure that correspondence clearly states NGA clearance requirements. Submitters obtain organization-level approval and forward five paper copies of the final proposed release (for reviewers' use) to OCCEP. An NGA Form 5230-1 signed by an approving official must accompany the information. OCCEP accepts only final versions of information (not drafts) for clearance review.

(a) Alternatively, submitters may submit information by electronic mail, but the signed hardcopy of the NGA Form 5230-1 must be received before clearance for public release is initiated.

(b) Procedures for submission of electronic information intended for release via authorized web sites (including the NGA Home Page) are described in paragraph 7.g.

(2) Contractors or personnel from Federal Agencies, private companies, or academic institutions exercising an NGA contract, an MOU, a grant, or an agreement submit information intended for public release to the NGA organization with overall supervisory control of that agreement. The approving authority for NGA contractor submissions is the NGA contracting officer overseeing the performed work or contract award. The organization transmits the information to OCCEP with a signed copy of the NGA Form 5230-1, certifying its technical accuracy and conformance to Agency policy, security, and contractual requirements.

(3) Consistent with DoD Directive 5230.9 and DoD Instruction 5230.29 (appendix 1, references 2 and 5, respectively), OCCEP coordinates review with OGC, SI, OIP, subject matter specialists, and WHS or CIA(PA), as necessary. This collective review ensures that the information conforms to Agency, DoD, and IC release policy and security requirements including broad operational security considerations.

(4) Reviewers.

(a) Must assume that any printed material submitted for review is intended for dissemination to the public.

(b) As necessary, contact the author directly to clarify any issues or negotiate acceptable alternatives to questioned information.

(c) If practical, highlight any discrepancies, inaccuracies, or inconsistencies with current Agency policy and recommend changes for authors' consideration. Reviewers are not responsible for conducting research or making style changes.

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(d) Return reviewed information to OCCEP with recommendations.

(5) OCCEP collects inputs from the various reviewers, determines whether a given item may be released to the public, and notifies the author or submitter. Where release to the public is not authorized, OCCEP defines the problem areas and potential solutions so that requesters can correct the problems and resubmit their requests.

(6) Authors and submitters may appeal reviewer changes or release denials through OCCEP. OCCEP resolves appeals, after collaboration with appropriate Directorates and Offices, within five workdays of their receipt in OCCEP.

j. Electronic release.

(1) Data stewards or web authors.

(a) Determine the target audience and type of information intended for that audience. For example, is the information intended for release to the general public, or is it intended for release to a more limited audience, for example, DoD contractors or customers? Appendix 4 identifies categories of information prohibited for placement on web sites available to the general public. Appendix 5 describes NGA's public Web security levels and access controls.

(b) Review appendix 5 to determine appropriate access controls to apply to a public web site (open, domain restricted, blind Uniform Resource Locator (URL) (password-protected), or other restriction).

(c) Complete the Web Requirements Request process (described at <http://webbet03.intranet.ic.gov/is/ds/dsnge/requiremtncs.cfm> on the NGANet), obtain the signature of the authorized organization Director, and submit the signed form to the relevant web administrator.

(d) Arrange the initial security review by the local security unit.

(e) Upload the marked-up information to the appropriate server in an unlisted, read-only, password-protected directory (blind URL) provided by the web administrator (or provide the data files directly to the web administrator).

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(f) Notify the web administrator that the site has been completed and is ready for initial style review.

(g) Complete and submit an NGA Form 5230-1 to OCCEP, defining the location (blind URL) of the electronic file proposed for review and clearance for release.

(h) Complete and submit a DoD Government Information Locator Service (GILS) record to the web administrator prior to final release.

(2) Web administrators review the subject pages for adherence to the appropriate style guides and notify the data steward or web author of any required corrections. After review, they notify OCCEP that the clearance review process may proceed.

(3) OCCEP notifies reviewers via electronic mail of the proposed release, the file location, and the password. Reviewers include external organizations, OGC, SI, and OIP, and, when more technical review is required, other relevant organizations.

(4) Reviewers review the blind URL site and concur or non-concur via electronic mail to OCCEP. Review should include identification of any discrepancies, inaccurate statements, or inconsistencies with current Agency, DoD, or DNI policy. Where necessary, reviewers consult with data stewards or authors for clarification.

(5) OCCEP collects inputs from the various reviewers, determines whether a given URL location may be opened to the public, and notifies the web administrator and data steward of that determination. To facilitate location of information on NGA gateway servers, OCCEP requests the web administrator to provide hyperlinks to the new web pages from the primary Open Source Information System or World Wide Web menu pages. When release to the public is not authorized, OCCEP defines the problem areas and potential solutions so that requesters can correct the problems and resubmit their requests.

(6) Authors and submitters may appeal reviewer changes or release denials through OCCEP. OCCEP resolves appeals, after collaboration with appropriate Directorates and Offices, within five workdays of their receipt in OCCEP.

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NI 5720.1R9 Appendix 1  
Clearance for Public Release

**Appendix 1**  
**Secondary References**

1. Federal Acquisition Regulation (FAR) Part 5 and Department of Defense FAR Supplement (DFARS) Part 205.
2. DoD Directive 5230.9, Clearance of DoD Information for Public Release, 15 July 1999.
3. DoD Directive 5400.7, DoD Freedom of Information Act Program, 28 October 2005.
4. DoD Directive 5400.11, DoD Privacy Program, 8 May 2007.
5. DoD Instruction 5230.29, Security and Policy Review of DoD Information for Public Release, 6 August 1999.
6. NI 8955.6R3, NGA Instruction for the Disclosure and Release of Classified and Unclassified NGA Information, Data, Products, and Records, 5 October 2006.
7. NGA Security Classification Guide (classified), 1 May 2004.

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NI 5720.IR9 Appendix 2  
Clearance for Public Release

## Appendix 2 Definitions

1. Data steward. Person with requirements for information to be disseminated; generally applies to a person intending to place information on a World Wide Web site.
2. Marked-up information. Text or data in a format ready for posting on web sites. Typically, hypertext mark-up language (HTML) and Java are acceptable formats.
3. Member of the public. Any member of the general public or employee of a contractor company acting outside the terms of a current contract arrangement. A contractor has rights to access to sensitive data only as specified in a current contract.
4. Nontraditional procurement. An agreement or other transaction in the broad category of technology transfer within the research, development, and acquisition communities.
5. Uniform resource locator (URL). The unique address for a given page or data file on an Internet server. The URL consists of the unique address of the server plus the page's or file's location on that server. An unlisted or blind URL is a unique address for which there is no direct link connecting from other sites or public directory listings.
6. Web administrator. A person who manages web requirements and assigns support resources (computer systems or personnel), as necessary, and oversees implementation of NGA policy related to web servers.
7. Web author. The technical editor supporting data stewards who do not maintain their own files. Web authors typically have server accounts that allow direct access to post, edit, or remove web pages from the server. Web authors may also be responsible for the development of common gateway interface scripts or other graphic user interfaces.

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NI 5720.1R9 Appendix 3  
Clearance for Public Release

Appendix 3  
Time Allowances for Release Review

Office	Technical papers, manuscripts	Speech texts, abstracts	Simple text, low- complexity web pages	Complex text, multi-scene web pages
OCCEP (including OGC, SI, and OIP)	10 workdays	5 workdays	5 workdays	10 workdays
WHS	10 workdays	5 workdays	5 workdays	10 workdays
CIA(PA) (review may occur concurrently with WHS review)	30 days	30 days	30 days	30 days

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Appendix 4  
**Categories of Information Prohibited on NGA Public Web Sites**

The information described in the following categories has been determined to be of a sensitive nature and should not be available to the general public on the World Wide Web. This does not restrict the posting of the information on web servers that can adequately control access to the information.

1. Classified information. Information properly and currently classified in the interest of National defense or foreign policy, as specifically authorized by Executive Order and implemented by regulations such as DoD Directive 5200.1-R, Information Security Program.

2. For Official Use Only (FOUO) information. Information that has not been given a security classification pursuant to an Executive Order, but when disclosed would cause foreseeable harm to interests protected by one or more exemptions to the Freedom of Information Act (FOIA). Records not bearing the marking FOUO should not be assumed to not contain FOUO information without examination. The following are examples of FOUO information. This is not an all-inclusive list.

a. Internal rules and practices. Information related solely to Agency internal rules and practices whose release would substantially hinder the Agency's effective performance and function.

b. Information prohibited from public release by statute. (Some of the items listed below may in certain cases consist of or include classified information.)

(1) Unclassified technical data with military or space application.

(2) Information that would reveal intelligence sources or methods.

(3) Information regarding the organization or function of NGA, or the number of persons employed by or assigned or detailed to NGA, or names, official titles, occupation series, grades, or salaries of such persons.

(4) Geospatial information that

(a) Was obtained or produced, or that contains information that was provided pursuant to an international agreement that restricts disclosure of such product or information to Government officials of the agreeing parties or that restricts use of such product or information to Government purposes only.



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(b) If disclosed would reveal sensitive sources and methods, or capabilities used to obtain source material for production of the geospatial product.

(c) The Director of NGA has determined in writing would, if disclosed, jeopardize or interfere with ongoing military or intelligence operations or reveal military operational or contingency plans.

(d) Is marked LIMITED DISTRIBUTION, reflecting determination that one of the statutory exemptions above applies (appendix 1, reference 8).

(e) Has been derived from LIMITED DISTRIBUTION data unless previously authorized for public release by the NGA Release Officer (appendix 1, reference 6).

(5) Contract proposals and sensitive contract information.

c. Trade secrets, proprietary commercial information, or financial information. Information obtained from sources external to the Government on a privileged or confidential basis. Public release of this information would likely cause substantial harm to the source's competitive position, the Government's ability to obtain necessary information in the future, or some other legitimate Government interest. Examples include

(1) Proprietary information submitted by contractors, information protected by a limited rights statement or other agreement, and trade secrets, commercial information, and financial information submitted by an entity outside the Government that considers the information inappropriate for public release.

(2) Technical information not marked or otherwise determined to be inappropriate for public dissemination. This includes all technical information that can be used or adapted for use to design, engineer, produce, manufacture, operate, repair, overhaul, or reproduce any military or space equipment or technology associated with such equipment.

(3) Test and evaluation information that could provide an unfair advantage or disadvantage to the manufacturer or producer.

d. Deliberative process information. Information such as inter- and intra-Agency memorandums and documents that are deliberative in nature, are part of the decision-making process, and contain subjective evaluations, opinions, and recommendations.

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e. Information protected by the Privacy Act. Personal information that, if disclosed, could result in an unwarranted invasion of personal privacy. Examples of privacy-protected data include social security numbers, dates of birth, private telephone numbers and e-mail addresses, and names and duty addresses of personnel assigned to units or projects that are sensitive.

f. Law enforcement information. Information that, if disclosed, could reasonably be expected to interfere with law enforcement proceedings. Categories include information that

- Would deprive a person of a right to a fair trial or impartial adjudication.
- Could reasonably be expected to constitute an unwarranted invasion of personal privacy.
- Would disclose the identity of a confidential source.
- Would disclose investigative techniques and procedures.
- Could reasonably be expected to endanger the life or physical safety of any individual.

3. Information that could affect operational security (OPSEC). Examples include

a. Minutes or briefing materials from NGA-sponsored meetings, conferences, or seminars where the general public was not in attendance.

b. Unclassified information concerning pending or ongoing military exercises unless the exercise's sponsor has specifically cleared the information for public release.

c. Analysis and recommendations concerning lessons learned that would reveal sensitive military operations, exercises, or vulnerabilities.

d. Information detailing official or individual travel plans of NGA personnel, to include transportation arrangements, itineraries, lodging, and points of contact.

e. References to unclassified information that would reveal sensitive movements of military assets or the location of units, installations, or personnel where uncertainty regarding location is an element of a military plan or program.

f. Personal information including compilations of names of personnel assigned to overseas, sensitive, or routinely deployable units.

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g. Using names, personal e-mail addresses, or telephone numbers of NGA personnel other than those that are normally expected to be in the public domain (such as the names of the Director, the Chief of Public Affairs, the NGA Hydrographer) and others routinely representing NGA in public forums is not acceptable. However, use of the name and office code of the individuals providing the public presentation is acceptable.

4. Catalog listings. Lists of classified or LIMITED DISTRIBUTION products or specific references to any NGA product or service that is not available to the general public (appendix 1, reference 6).

5. Copyrighted material. Copyrighted material may be used only when allowed by prevailing copyright laws and may be used only if the materials relate to the NGA mission. Employees consult with OGC when using any copyrighted material.

6. Unclassified information pertaining to classified programs. Unclassified information pertaining to classified programs proposed for posting to publicly accessible web sites must take into account the likelihood of classification by compilation. Consultation with the program security classification guide may be required to determine the likelihood that the information, if compiled or aggregated with other information likely to be contained on publicly accessible web sites, would reveal an additional association or relationship that meets the standards for classification. If the overall risk resulting from posting the information is determined to be unacceptable, the information must not be authorized for public release.

7. Conflicts of interest. Information that could be interpreted as an NGA product endorsement or appears to imply preferential treatment of any private organization or individual by NGA.

8. References to non-public web sites. Publicly accessible NGA web sites may not contain links or references to DoD web sites with security or access controls.

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NI 5720.1R9 Appendix 5  
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### Appendix 5 NGA Public Web Security Levels

(Read across.)

Security Level	If access control is	and transmission control is	the vulnerability is	and the posted information can be	Examples
1	Open	Plain text, unencrypted	Extremely high—Subject to worldwide dissemination and access by everyone on the Internet	Non-sensitive, general public interest, cleared and authorized for public release, for which dissemination poses limited risk for DoD or NGA personnel even if aggregated with other information reasonably expected to be in the public domain.	Information intended for public use.
2	Limited by use of (.mil) domain restriction	Plain text, unencrypted	Somewhat high—Intended for access only by military customers	OFFICIAL information that is not generally considered sensitive. Should not contain personal identifiers.	General information useful to military customers such as product descriptions and product and catalog ordering procedures
3	Limited by use of blind URL and password  Option: Include filter by Internet domain or Internet Protocol address	Encrypted text through use of secure socket layer	Moderate—ID and password are protected by encryption	FOR OFFICIAL USE ONLY and information sensitive by aggregation	Open working group documents, meeting minutes, meeting announcements
4	Digital certificate (software)—Requires Public Key Infrastructure	Encrypted text	Moderate—Provides moderate level of access controls	NGA, LIMITED DISTRIBUTION products	NGA digital products—CIB®, DTED®, CADRG, et cetera

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National Geospatial-Intelligence Agency

## INSTRUCTION

NUMBER 5720.1

12 May 2015

OCC

SUBJECT: Clearance for Public Release

References: See Enclosure 1.

1. PURPOSE. This Instruction:

a. Establishes policy, assigns responsibilities, and prescribes guidance to ensure all procedures for the review of NGA information intended for public release are carried out to prevent the unintended release of classified or sensitive unclassified information.

b. Incorporates and rescinds NGA Instruction (NI) 5720.1R10, "Clearance for Public Release," 08 December 2008 (Reference (h)).

2. APPLICABILITY. This Instruction applies to NGA civilian employees, military service members, personnel from other Government agencies permanently assigned to NGA, and contractors. Exceptions are noted in Enclosure 5.

3. POLICY. It is NGA policy that:

a. Any official NGA-related information intended for public release that pertains to military or intelligence matters, national security issues, or subjects of significant concern to the Department of Defense (DoD), the US Intelligence Community, NGA, and/or its foreign and domestic partners must be reviewed prior to release;

b. The public release of official NGA-related information is limited only as necessary to safeguard information requiring protection in the interest of national security or other legitimate governmental interests as prescribed in References (b-f); and

c. NGA-related information intended for public release is both accurate and timely and is provided in a manner consistent with current Agency branding and messaging protocols.

4. RESPONSIBILITIES. See Enclosure 2.

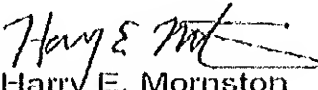
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5. PROCEDURES. See Enclosure 3.

6. EFFECTIVE DATE. This Instruction is effective on the date of signature.

  
Harry E. Mornston  
Chief of Staff

Enclosures

1. References
2. Responsibilities
3. Procedures
4. Process Flow Diagram
5. Exceptions to the Public Release Process
6. Areas of Special Consideration
7. Markings

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ENCLOSURE 1

REFERENCES

- (a) Title 10, United States Code, Section 424
- (b) DoD Directive (DoDD) 5230.9, "Clearance of DoD Information for Public Release," 22 August 2008
- (c) DoDD 5400.7, "DoD Freedom of Information Act Program," 02 January 2008
- (d) DoDD 5400.11, "DoD Privacy Program," 29 October 2014
- (e) DoD Instruction (DoDI) 5230.29, "Security and Policy Review of DoD Information for Public Release," 13 August 2014
- (f) DoDI 8550.01, "DoD Internet Services and Internet-Based Capabilities," 11 September 2012
- (g) NGA Instruction (NI) 5505.2R4, "Release of Information in Litigation and Testimony," 24 November 2003
- (h) NI 5720.1R10, "Clearance for Public Release," 08 December 2008 (hereby rescinded)
- (i) NI 5720.3R4, "Media and Public Interaction," 16 January 2008
- (j) NI 8900.4R6, "Intelligence Oversight Compliance and Awareness Program," 10 July 2010
- (k) NI 8955.5R5, "Preparing NGA Web Pages," 22 May 2009
- (l) "Defense Federal Acquisition Regulation Supplement (DFARS)," Part 252, 15 October 2014
- (m) "Standard Operating Procedures Regarding InnoVision or NGA Employee-Produced Software Submitted for Public Release Review," 28 May 2013
- (n) "Interim Guidance—Procedures for Marking US Person (USPER) Information and Domestic Imagery," 03 September 2014
- (o) Memorandum for the Director of National Intelligence, "Designation of National Geospatial-Intelligence Agency Senior Foreign Disclosure and Release Authority," 29 April 2013

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ENCLOSURE 2

RESPONSIBILITIES

1. Director, Office of Corporate Communications (OCC).

a. Administers public release policy and coordinates the review of all print and electronic information regarding NGA mission and functions intended for public release, ensuring the information intended for public release is unclassified and is consistent with established policies.

b. Coordinates all NGA interaction with the media, ensuring information intended for release is unclassified and is consistent with established DoD, Office of the Director of National Intelligence, and NGA policies. OCC coordinates with these and other public affairs offices as necessary in accordance with Reference (i).

c. Manages the NGA brand, including Agency-level messaging, the "look and feel" of printed and electronic products, and is responsible for reviewing NGA products for adherence to Agency branding and messaging standards.

2. Director, Analysis.

a. Reviews public release submissions containing Analysis-related subject matter, as requested by OCC, as one of two NGA Senior Foreign Disclosure and Release Authorities (Reference (o)). Such subject matter includes or refers to analytic data, products, services, or tradecraft.

b. Develops a Standard Operating Procedure (SOP) establishing internal procedures that ensure a comprehensive review of materials submitted by OCC for evaluation and comment.

3. General Counsel.

a. Reviews all public release submissions for legal sufficiency and implications for release under the requirements of the Freedom of Information Act (FOIA) and the Privacy Act. The Office of General Counsel (OGC) reviews information related to but not limited to contract law, copyrights, trademarks, commercial licensing, intelligence oversight, ethics, and other statutory considerations governing NGA-related information.

b. Develops an SOP establishing internal procedures that ensure a comprehensive review of materials submitted by OCC for evaluation and comment.

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4. Director, International Affairs (IA).

a. Reviews public release submissions containing IA-related subject matter, as requested by OCC, as one of two NGA Senior Foreign Disclosure and Release Authorities (Reference (o)). Reviews include submissions containing embedded geospatial products, imagery, imagery-derived products, and requests for restricted products; and situations where disclosure and release (D&R) standing authority is in question with regard to NGA products. When necessary, consults with managers of International programs to ensure that D&R decisions are consistent with the requirements of existing international agreements.

b. Develops an SOP establishing internal procedures that ensures a comprehensive review of materials submitted by OCC for evaluation and comment.

5. Director, Security and Installations.

a. Reviews public release submissions for potential Operations Security (OPSEC), counterintelligence, and classification considerations as requested by OCC.

b. Develops an SOP establishing internal procedures that ensures a comprehensive review of materials submitted by OCC for evaluation and comment.

6. Director, Office of Contract Services (OCS), or any other organization within NGA that executes formal arrangements with external activities.

a. Ensures, in accordance with the Defense Federal Acquisition Regulation Supplement (DFARS) (Reference (l)), that the security clause of any Agency agreement includes the requirement that any NGA-related information intended for public release be submitted to OCC (through the contracting officer) for review. This requirement applies to all NGA contracts, agreements, memoranda of understanding, grants and nontraditional procurements, and any similar arrangements over which NGA exercises operational control. However, review can be waived for articles resulting from routine research and development grants to a research or academic institution to advance a professional field. In such cases, OCS and other involved NGA organizations ensure this option is clear in the security clause.

b. Reviews contractor-submitted materials for technical accuracy and determines the appropriateness for public release prior to submitting the information to OCC for review.

7. All Other Components. Review selected materials for their respective areas of expertise on a case-by-case basis as deemed appropriate by OCC.

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ENCLOSURE 3

PROCEDURES

1. Submitting Materials for Review.

a. A copy of the material in its final form and a signed NGA Form 5230-1, "Request for Clearance for Public Release," with blocks 1, 2, and 3 completed should be emailed via secure channels to the OCC Public Release mailbox. Submissions sent via non-secure means will not be accepted by OCC. If the submitter is remotely located, s/he should transfer the material to a secure network and then forward to OCC. If there are special circumstances in regard to submitting materials, the submitter should contact OCC prior to attempting to submit materials via non-secure means.

b. Material submitted for review must be approved by the submitter's supervisor or designated approving official, as indicated on the NGA Form 5230-1 (block 3). The approving official should have the appropriate expertise and authority to certify that the information is technically accurate, does not contain classified or sensitive information, and is appropriate for public release. Submissions by NGA senior-level employees do not require secondary approval.

c. Abstracts to be published in advance of a completed paper, manuscript, or briefing must also be submitted to OCC for review with a completed NGA Form 5230-1. The approved public release of an abstract is not applicable to the final material that must be submitted separately for review. If an abstract is approved, the OCC case number assigned to the abstract should be noted on the NGA Form 5230-1 when the final material is submitted to OCC.

d. Submissions created wholly or in part from materials previously approved for public release must identify the approved portions (by providing the OCC-issued public release number) and the new material to be reviewed. Previously approved materials, such as briefing slides that have not been altered, must display the original public release number. Any substantive changes to any portion of previously approved materials that could or would cause a change in the interpretation or original meaning of the information will require review as a new submission.

e. Contractor Submissions.

(1) The approving authority for NGA contractor submissions that are not NGA-owned deliverables (e.g., marketing materials, company presentations, company press releases) is typically the NGA contracting officer (CO) or a designated contracting officer representative (COR) overseeing the performed work or contract award. The approving authority reviews the materials and certifies that the information is technically accurate, does not contain classified or sensitive information, is appropriate

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for public release, and conforms to the contractual requirements. Once approved, the approving authority should complete NGA Form 5230-1 and transmit the information to OCC for review.

(2) Submissions created by embedded contractors that are deliverables and will be used as an NGA presentation or product do not require CO or COR approval. The government lead or supervisor may act as the approving official as appropriate.

(3) Personnel from other Federal agencies, private companies, or academic institutions exercising a non-traditional NGA contract, memorandum of understanding, grant, or any other type of formal agreement, such as an NGA University Research Initiative or a Cooperative Research and Development Activity, must submit NGA-related information intended for public release to the NGA organization with overall supervisory control of the agreement for initial review and further processing.

**2. Review and Tasking.**

**a. Initial OCC Review and Tasking.**

(1) OCC reviews submitted materials for completeness and obtains clarifications or additional information from the submitter as necessary.

(2) Upon receipt of a complete submission package, OCC will assign a unique public release case number to the request package for tracking purposes.

(3) Based on content of the material submitted, OCC will determine which NGA offices have potential interests in the subject matter and will request their review of the submission with a requested suspense date. At a minimum, all submissions will be reviewed by the OGC, the Security Education and Awareness OPSEC team and the Counterintelligence Office. OCC may coordinate submissions with other offices as necessary.

(4) OCC will provide all available background information and contact information for the submitter to the reviewing offices.

**3. Reviewing Offices' Review.**

a. Reviewing offices will, in accordance with their Component-specific public release SOP, review the submitted materials for all information related to the Component's area of expertise and reply to OCC on or before the requested suspense date with their consolidated recommendations and justifications for modifications or denial.

b. Reviewing offices should contact the submitter directly for clarifications relative to their particular areas of interest that may be needed to conduct a proper review. As necessary, reviewing offices should attempt to negotiate acceptable alternatives to

questionable information and, if applicable, highlight any discrepancies, inaccuracies, or inconsistencies with current Agency policy and recommend changes for the author's consideration. Negotiated changes should be reported in the reviewing office's final response to OCC.

c. If a reviewing office believes the submitted materials require additional review by another Component not already tasked for comment, the office should inform OCC as soon as possible and provide its rationale. Reviewing offices should not unilaterally request assistance from other Components.

d. "Non-concur" responses without justification from a reviewing office will be disregarded by OCC.

e. "Non-concur" responses from a reviewing office that are based on issues outside the purview of the reviewing office will be disregarded by OCC.

f. Reviewing offices will assign an NGA employee to either respond to or coordinate the Key Component's release recommendations as OGC has determined that a public release decision relative to NGA-owned information is an inherently governmental function. Release recommendations provided by contractor personnel should include evidence in the response that the recommendation has been authorized by a qualified government employee.

#### 4. Final OCC Review and Release Decision.

a. OCC reviews, evaluates, and reconciles feedback from reviewing offices.

b. Based on recommendations from reviewing offices, OCC determines if the submission is:

(1) Approved for Public Release,

(2) Approved for Public Release with provisions, or

(3) Denied for Public Release.

c. After making a release determination, OCC advises the submitter of the release decision via email and provides relevant additional information as necessary regarding the submitted material. For denials, OCC provides the submitter the reason for the denial and contact information for the reviewing office(s) that objected to the information release.

d. OCC issues a unique public release number to all NGA-owned and branded items that have been approved for public release. The following disclaimer must be displayed on the approved product as evidence of authorization to release: "Approved for public release, XX-XXX" (insert public release number).

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e. Materials approved for public release not owned by NGA or otherwise associated with an external entity (e.g., a technical paper written by an academic institution or contractor-owned product) are not required to display the disclaimer above.

**5. Post-decision Actions for Submitters.**

a. Upon receipt of OCC's decision of approval or approval with provisions, the submitter will make any required corrections, including application of the disclaimer, and provide a final corrected copy to OCC for record-keeping purposes.

b. For denials, the submitting office may appeal the decision and work directly with the objecting reviewing office(s) to reach a resolution. If an agreement is reached, the reviewing office(s) should advise OCC of the corrective measures and the submitter should provide a corrected copy of the materials to OCC. OCC will then issue a public release number for the approved materials.

**6. Retired and Former Employees.**

a. Protecting classified information is a life-long obligation and continues after departure from the Agency. NGA-related information in personal works destined for public release requires review by NGA for potential classification issues.

b. Human Development (HD) provides information about this process to departing employees as part of their check-out process. OCC provides information about this process via the NGA public Web site.

c. Retired and former employees seeking reviews may submit their materials directly to NGA via email at [prepubreview@nga.mil](mailto:prepubreview@nga.mil).

**7. Submissions Timelines.** Materials submitted to OCC with a requested due date that is less than the allotted amount of time required are subject to denial or otherwise the releasability may be undetermined by the requested due date.

Type of Submission	Minimum Time Required for Review
Abstracts, speeches, standard length briefings, talking points, posters, brochures, technical or academic papers less than 25 pages in length, or other similarly sized, noncomplex products	7 business days
Technical and academic papers more than 25 pages but not exceeding 100 pages in length	10 business days
Briefings and presentations of new (not previously cleared) materials in excess of 25 pages in length	10 business days

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Live computer-based demos, briefings, or videos that require desk-side reviews	5 business days after demo (arranged by the submitter)
Product reviews for open house events, such as Family Day and Bring Your Child to Work Day, that require desk-side reviews	10 business days
Papers, academic theses, and highly technical presentations more than 100 pages in length	30 business days
Presentations, briefings, papers, or other materials that include multi-agency interests requiring additional coordination with external organizations	30 business days (minimum) after submitting to external agency
Press and news releases	3 business days

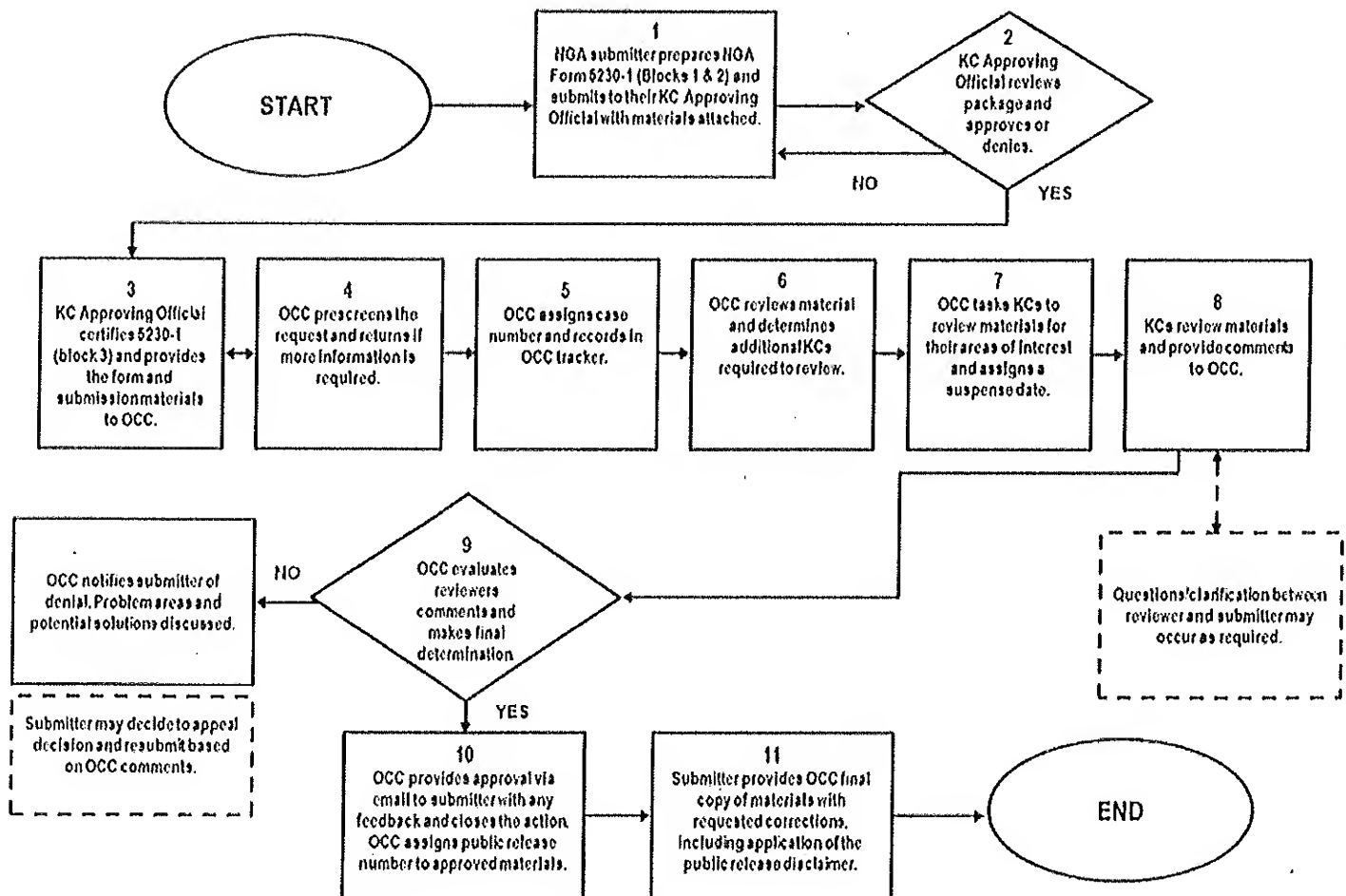
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ENCLOSURE 4

PROCESS FLOW DIAGRAM

Clearance for Public Release Process Flow



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ENCLOSURE 5

EXCEPTIONS TO THE PUBLIC RELEASE PROCESS

The following categories of information are governed by separate review procedures and are exempted from the OCC public release review process.

1. Contract Services-generated contract-related documents or solicitations to fulfill DFARS requirements (Reference (l)) or other federally mandated requirements to publicly disseminate information regarding proposed contract actions, contract awards, and other procurement-related matters.
2. HD-generated standard job announcements posted to NGA's public-facing Web site, USAJobs, or other public venues. HD-produced materials such as brochures; flyers; videos; Web announcements for use at public events, such as job fairs and recruitment events; and other such activities are not exempt from a public release review.
3. Federally or DoD-mandated Web site notices such as the Privacy Act, FOIA, and System of Records notices.
4. Geospatial data, products, or services under the control of NGA (whether NGA or foreign-partner produced) fall under the purview of the IA's D&R branch.
5. Personal resumes requiring a classification review fall under the purview of NGA's Classification Management Office (SISCC). NGA personnel are encouraged to obtain peer and supervisor review when practicable and to use classification guides available online before contacting SISCC for assistance.
6. Products related to NGA production or developmental systems, plans, programs, or projects (e.g., technical reports, technical bulletins, product specifications) fall under the purview of the Component responsible for the effort.
7. NGA-developed software and code fall under the purview of InnoVision as stated in Reference (m).
8. All requests for release of NGA-related information or testimony to be used in legal proceedings should immediately be referred to OGC for review and guidance in accordance with Reference (g). NGA employees are prohibited from responding directly to requests to participate or support legal proceedings without first consulting with OGC.



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ENCLOSURE 6

AREAS OF SPECIAL CONSIDERATION

1. Academic Works.

a. To ensure a climate of academic freedom and encourage intellectual expression, NGA students at an academy, college, university, or DoD school are not required to submit papers or materials to OCC prepared in response to academic requirements for review when they are not intended for release outside of the academic institution.

b. Academic materials intended for public release or that will be available to libraries that the public has access to must be submitted to OCC for review. Approval for public release will be granted as long as the information is unclassified (but not "official information"), does not jeopardized NGA interests, and the author accurately portrays official policy, even if the author takes issue with that policy.

c. NGA employees are reminded that all NGA-related information submitted for academic purposes to a public institution must be unclassified. If the employee has any concerns, s/he should contact SISCC for assistance.

2. Imagery.

a. Submissions that include overhead imagery must be clearly marked with the source of that imagery and applicable copyright notes must be displayed with the image.

b. Overhead imagery without an identified source will not be accepted for a public release review.

3. Domestic Imagery and US Persons (USPER) Information.

a. Due to potential intelligence oversight issues, in accordance with References (j) and (n), submissions containing domestic imagery must be accompanied by evidence of a current Proper Use Memorandum (PUM) as well as a statement certifying that the requested use is in accordance with the PUM. Additionally, submissions containing USPER information must provide evidence of a Letter of Consent (LOC) or further justification advising why an LOC is not required. Submitters should consult their Component Intelligence Oversight Officer (IOO) or OGC for assistance.

b. Submissions on behalf of external organizations (e.g., academia, private industry, nonprofits, trade organizations) that contain domestic imagery or possible USPER information should be accompanied with a description explaining whether the domestic imagery or USPER information was obtained from NGA or was directed by NGA to be

collected, which would require a PUM and/or LOC. Domestic imagery or USPER information collected solely at the discretion of the external organization and not held in NGA record holdings may not require a PUM or LOC. Submitters should consult their Component IOO or the OGC for assistance.

c. All domestic imagery products and products containing USPER information must be marked in accordance with Reference (n).

4. Internet Sources and Copyrighted Materials.

a. Submissions that contain information derived from the Internet, such as Google Maps™, or information that is copyrighted, must be accompanied by evidence that the authors or owners of the information have provided permission for its reuse.

b. Information regarding reuse can usually be found under "Terms of Use," "Legal," or other similar sections on the owner's Web site. Simply citing the Web address where the information is located may not be legally sufficient. Submissions containing Internet-derived or copyrighted information will not be approved for public release unless accompanied by the appropriate permissions.

5. Commercial Entities, Products, and Logos.

a. NGA materials that mention or depict commercial products, entities, or logos must display the appropriate trademark or copyright symbol.

b. NGA materials should not mention names of commercial products or entities or use commercial logos in any manner that could be interpreted as an NGA endorsement of commercial activity.

c. Additionally, NGA presentations briefed by an embedded contractor should not contain any information relative to the company affiliation of the contractor. When briefing, the contractor must ensure s/he is identified as a contractor and not as a US government employee. This can be achieved by associating her/his name or title with a contract number or by simply identifying her/himself as a contractor.

6. Nondisclosure of Personally Identifying Information (PII).

a. NGA may withhold the identity of its employees from public dissemination in accordance with statutory authority provided by Reference (a).

b. Due to OPSEC and counterintelligence concerns, NGA employee data is considered critical information, and PII data will not be exposed to the public in an effort to prevent potential targeting by foreign entities (e.g., intelligence services and terrorist groups). Of particular concern is the exposure of the identities of NGA analysts; subject-matter experts within intelligence areas of interest; NGA employees who have been

deployed, are likely to be eligible for deployment, or are currently deployed to locations outside the continental United States (OCONUS); and those employees who conduct OCONUS travel for official business. Case-by-case exceptions to this policy must be approved by the employee's Component approving authority listed below. Components may designate select persons from within the Component to be the spokesperson for the Component on specific topics of interest.

c. Component Spokesperson Approving Authorities.

(1) Analysis, Source, InnoVision: Director, Deputy Director, Chief of Staff, or a designee identified by the Component Director.

(2) All other Components: Director, Deputy Director, Chief of Staff, or any senior-level employee directly responsible to the spokesperson.

d. The identity of an NGA employee may not be used in a public venue without the employee's explicit permission unless her/his name has been previously approved for public release within a similar context and s/he has been specifically designated by her/his Component approving authority as an official spokesperson.

e. Employees whose jobs functionally involve routine interaction with the general public, such as recruiters, public affairs specialists, acquisition and contracting specialists, the NGA historian, the NGA Hydrographer, and others are exempt from the nondisclosure prohibition.

f. OCC reviews and approves versions of the NGA organization chart that are intended for public release. The release of the identity of NGA senior executives not depicted on the publicly available organization chart will be considered by OCC on a case-by-case basis.

g. Biographies of NGA personnel intended for public release or for use in event programs or other public venues must be reviewed and approved by OCC in accordance with this instruction. Biographies intended for public release should minimize the use of PII such as locations of residences or names of family members. Senior leader biographies prepared and posted on NGA intranets are not automatically approved for public release.

7. Media Inquiries.

a. All inquiries from the media, including radio and television stations, news and wire services, multimedia services, magazines, trade publications, Web sites, blogs, social media, and other similar organizations requesting NGA data, products, services, information or comments should be immediately referred to the NGA News and Information Services in accordance with Reference (i).

b. NGA employees may not provide any assistance to the media without prior authorization.

c. In situations where authorization is provided to an employee to deal directly with the media, all materials and talking points must be approved for public release in accordance with the procedures outlined in this NGAI.

#### 8. Internet and Social Media.

a. OCC's News and Information Services manages NGA's official public Web site ([www.nga.mil](http://www.nga.mil)) and its official organizational presence on Twitter, Facebook, LinkedIn, Google+, YouTube, Spotify, and other social media platforms. OCC is responsible for the overall use, design, "look and feel," organization, and navigation of these sites. In accordance with Reference (k), OCC ensures adherence to Agency branding and messaging standards and, except as noted in Enclosure 5, is also responsible for the content and style of materials posted. NGA employees should contact OCC with requests for postings on any of these sites or to discuss new categories of postings.

b. Except as noted in Enclosure 5, new categories of information or significant updates to existing information will require review and release in accordance with the provisions of this instruction. Routine updates to existing materials are not required to be reviewed and approved.

c. Work-related comments made by NGA employees in their individual capacities on social media are generally not subject to the public release review process. Any posting or comment made by an NGA employee or contractor that could be construed as an official Agency policy or Agency position statement must be approved for public release prior to release.

d. Personnel must be aware of the exploitation of social media by NGA's adversaries and take appropriate action to preclude posting any information, sensitive or otherwise, that could provide insight into NGA's activities and operations.

#### 9. Closed Meetings and Forums.

a. NGA personnel often participate in events that are not open to the public such as closed technical meetings and forums with other federal agencies and industry.

b. Materials created for these types of events, such as agendas and event schedules, and materials generated by event participants, such as meeting minutes and lists of action items, cannot be made available to participants or others through public venues, including public websites, unless specifically reviewed and approved for public release.

ENCLOSURE 7

MARKINGS

1. Markings on Briefings.

a. Placement of the public release disclosure marking (see Enclosure 3, paragraph 4d). Briefing materials should have markings on the lower-left corner of all pages or slides.

b. The public release disclosure marking cannot be changed without prior approval from OCC. Information pulled from previously approved briefing materials for use in another briefing must retain the original unique public release number and be displayed on the corresponding page or slide where the information appears. Only the title page or slide and any new or changed pages or slides within the new briefing will be annotated with a new public release number. A single briefing may contain several public release numbers.

c. NGA briefings used in public forums that have been approved for public release and are marked with the public release disclosure marking should not contain any classification markings including the classification/declassification authority block, overall classification banner, and portion markings. Materials approved for public release do not need to be marked "unclassified."

d. OCC will not accept materials claimed to have been previously approved for public release unless accompanied by the previous release number. Absent the number, OCC will treat the submission as a new request and will process accordingly.

e. All NGA briefings must be prepared using the current approved template (available on OCC's Web site). Presenters preparing materials using previously approved briefings must ensure the current template is used.

f. There are rare circumstances where the National System for Geospatial Intelligence template may be used in lieu of the NGA template. These instances will be considered on a case-by-case basis.

g. The title page or slide of an NGA briefing that has been approved for public release cannot include any seal or logo other than the NGA seal that is embedded in the approved template. The use of office or program logos on the title page or slide of a NGA presentation being used in any public venue is strictly prohibited.

h. Use of office or program logos or seals may be acceptable on briefing materials that are for internal NGA use only as long as the logo is subordinate in size and placement to the NGA seal. This does not preclude the display of a seal or logo in

materials for illustrative or informational purposes. The OCC Outreach and Branding Division is responsible for the Agency's logos and should be consulted before submitting materials for review.

2. Other Hardcopy Materials. Placement of the public release disclosure marking on other hardcopy materials (such as posters, brochures, flyers, booklets) should be done in a manner that allows the observer to quickly determine that the information has been approved for public release.

3. Multimedia Materials. Multimedia presentations that have been approved for public release should depict the NGA public release disclosure marking at the beginning of the presentation, or for CD or DVD discs, on the face of the disk and additionally within the presentation. Actual placement of the marking will be at the discretion of the producer.

4. Modified Materials Previously Approved For Public Release.

a. Any change to materials previously approved for public release will require a new review by OCC for continued use in a public forum.

b. Materials submitted for re-review should include documentation indicating the original public release number with any changes in the material highlighted.

c. At the discretion of OCC, materials may be eligible for continued release under the original public release number (usually when the modifications are insignificant). Substantial changes, however, will be cause for a full re-examination of the materials.

5. Additional Markings. There are unique situations in which there may be a requirement to modify the standard public release disclosure marking or otherwise apply additional markings to NGA materials being utilized in public forums to meet unique mission requirements. Only OCC can authorize the use of these markings. Some examples are provided below:

a. "Products and/or services described may only be available to authorized customers." This marking may be required in addition to the standard public release disclosure marking in circumstances in which the information is clearly intended for a customer audience but the details are not inherently sensitive enough to warrant withholding from the public. The addition of this marking is intended to notify members of the general public with access to the materials that the products and services being described have restricted availability and are not available to the general public.

b. "Approved for Family Day use only" or "Approved for Bring Your Child to Work Day use only". These markings may be approved for use only at the discretion of OCC on materials that otherwise are not sensitive but may contain PII of NGA employees that would not normally be made publicly available. Use of this marking would allow the release of these types of materials only within an NGA facility to family members and

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*NGAI 5720.1*

guests who have been authorized to attend the subject events. These markings would be used in lieu of the standard public release disclosure marking. Under no circumstances may any material containing restricted information, such as For Official Use Only, Limited Distribution, or Law Enforcement Sensitive, be used for such events.

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**NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY**  
Know the Earth... Show the Way... Understand the World



**Office of Inspector General**  
**Inspections Division**

**(U) Inspection of NGA Clearance Process for  
Public Release**

**Report No. OIGE-13-02**

**February 2013**

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**(U) Questions, Copies, Suggestions**

(U) The Inspections Division, Office of Inspector General, NGA, prepared this report. If you have questions about the report or want to obtain additional copies, contact the Office of Inspector General, NGA.

(U) To suggest ideas for or request future inspections of NGA issues, contact the Office of Inspector General, NGA:

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NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY

7500 GEOINT Drive  
Springfield, Virginia 22150

FEB 15 2013

MEMORANDUM FOR DIRECTOR, OFFICE OF CORPORATE COMMUNICATIONS

DIRECTOR, SECURITY AND INSTALLATIONS

SUBJECT: (U) Inspection Report, NGA Clearance Process for Public Release  
(Report No. OIGE 13-02)

1. (U//~~FOUO~~) Enclosed is the NGA Office of Inspector General report on the NGA clearance process for public release. The objective of this inspection was to assess the effectiveness of NGA processes for the clearance of information for public release, as well as compliance with Intelligence Community and DoD policies and directives.

2. (U//~~FOUO~~) We determined that the NGA clearance process complies with standards. In terms of improvement, we found that NGA and key component clearance procedures for public release of information need more comprehensive documentation and that the clearance program lacks effective communications outreach. We also outlined two process risks that should be mitigated.

3. (U//~~FOUO~~) We request that management provide a detailed plan of action and milestones (POA&M) for implementing each of the recommendations no later than 15 March 2013. In the event that management disagrees with a recommendation, please present the basis of objection and/or proposed alternative actions when providing the POA&M. The OIG will resolve any objections in concert with the Chief Operating Officer and senior leadership, as appropriate. The POA&M will provide the basis for quarterly followup on management actions, which the OIG will track through closure.

4. (U//~~FOUO~~) We appreciate the courtesies extended to the OIG staff. If you have questions or concerns, please contact (b)(3):10 U.S.C. § 424 Inspector General for Inspections,

(b)(3):10 U.S.C. § 424

(b)(3):10 U.S.C. § 424

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## Results in Brief: Inspection of NGA Clearance Process for Public Release

### (U) What We Did

(U//~~FOUO~~) The OIG Inspection team assessed the effectiveness of NGA's clearance process for the public release of information, as well as compliance with Intelligence Community and DoD policies and directives.

### (U//~~FOUO~~) What We Found

(U//~~FOUO~~) We made four basic findings regarding the clearance process for public release.

- The NGA clearance process complies with standards.
- The procedures of NGA and the key components need more comprehensive documentation.
- The public release clearance program lacks effective communications outreach.
- The clearance process presents several risks that should be mitigated.

### (U) What We Recommend

(U) Based on the inspection results, we made nine recommendations:

(U//~~FOUO~~) For the Director, Office of Corporate Communications (OCC), with collaboration from the Office of Geospatial-Intelligence Management (OGM) and the Human Development Directorate:

(U//~~FOUO~~) Update the NGA Instruction governing the clearance process for public release. Require key components tasked to participate in the review process to develop supporting SOPs for their own segments, among other recommended additions.

(U//~~FOUO~~) For the Director, OCC, with collaboration from OGM:

(U//~~FOUO~~) Tie OCC public-release outreach efforts into existing approval processes for training, travel, and conferences.

(U//~~FOUO~~) For the Director, OCC:

(U//~~FOUO~~) Consider resourcing OCC's External Communications Branch with a full-time, permanent Pay Band 3 position to assist in working the clearance process for public release.

(U//~~FOUO~~) Implement a systematic awareness campaign that reinforces clearance requirements and procedures for public release.

(U//~~FOUO~~) Coordinate with the National Geospatial-Intelligence College to develop a training module on public-release clearance to be delivered annually.

(U//~~FOUO~~) Mitigate the risk of spillage on the Sensitive But Unclassified network by requiring maximum coordination of releases on the NGANet. Consider increased use of SharePoint.

(U//~~FOUO~~) Continue to implement the OCC Director's Statement of Intent in regard to developing an Integrated OCC review that builds upon existing processes for public release and public-affairs messaging.

(U) For the Director, Office of Security:

(U) Consider requiring NGA employees to review and sign nondisclosure agreements on a recurring basis.

(U) For the Director, Security and Installations:

(U//~~FOUO~~) Mitigate the risk of the piecemeal release of sensitive information by formally assigning a "mosaic-analysis" function to an element within the directorate.

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## (U) INTRODUCTION

(U//~~FOUO~~) An OIG team assessed the effectiveness of NGA processes for the clearance of information for public release, as well as for compliance with Intelligence Community (IC) and DoD policies and directives.<sup>1</sup> On the basis of the inspection results, we made nine recommendations (appendix A); the inspection scope and methodology are presented in appendix B.

## (U) Background

(U//~~FOUO~~) *Context of the Inspection.* This inspection was initiated by the NGA Inspector General (IG) due to heightened interest by the Director of National Intelligence and Congress after several recent, high-visibility unauthorized disclosures (UDs) or leaks of classified information to the media. Although NGA is not believed to have been directly involved in any of these leaks, the IG's intent is to better position the agency to respond to external assessment of related policies and procedures and recommend areas for improvement. Assessment of the clearance process through which information is released to the public was of special interest to senior stakeholders with whom we coordinated the inspection objectives. This report focuses only on the clearance process. A separate report addresses additional inspection objectives related to the management of unauthorized disclosures to the media.

(U//~~FOUO~~) *The Issue.* Within NGA, the Office of Corporate Communications (OCC) is the proponent for the clearance of information for public release. OCC restructured its organization during the course of this inspection. Program responsibility clearance for public release is delegated to the Plans and Operations Division (OCCP). The OCCP Public Release Officer receives assistance from one staff member, assigned on annual rotation. To a lesser extent, he gets assistance from a Public Affairs Officer who also performs media duties.

(U//~~FOUO~~) The process of clearing information for public release applies to any information assembled by an NGA employee, contractor, or institution with which NGA has a formal relationship that is intended for a public venue. While many people think that release into any unclassified venue requires review—this is not correct. Venues limited to DoD personnel and not open to the public do not require reviews. The real determining factor is whether the audience is limited to DoD and IC personnel. As a practical indicator of venue, OCC looks at the registration requirements listed on the Web sites for an event to determine whether clearance for public release is required.

(U//~~FOUO~~) The process starts with a request from a customer wanting to release information. The request is supposed to be presented on NGA Form 5230-1, Jan 12. The form has a place for the supervisor to certify that the information is unclassified, technically correct, and suitable for the intended venue. Supervisors have the

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1. (U) The terminology "clearance for public release" reflects DoD's formulation; the IC often uses the term "prepublication review."

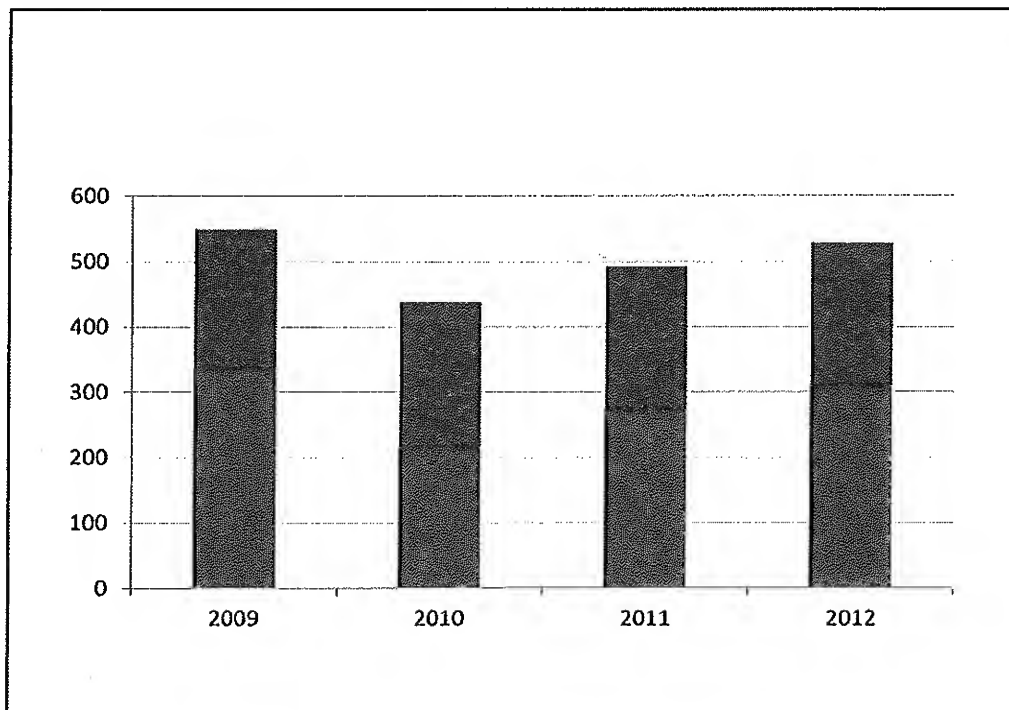


certification job because OCC considers them to be the subject matter experts (SMEs). OCC's presumption going into the review process is that the information is unclassified.

(U//~~FOUO~~) After OCC receives a submission, the first stage is a cursory review to check for compliance errors. OCC works with the customer to resolve these, then distributes the information via e-mail to other officers for review, typically for a five working day turnaround. Distribution is concurrent, not sequential. The offices include the OPSEC (Operations Security) team, the counterintelligence (CI) team, Office of International Affairs (OIA), Office of General Counsel (OGC), and the Analysis Directorate's source and classification management office. The A office is a relatively new player. OCC may also include the Classification Management (CM) team from the Office of Security (SIS) for a "sanity" check but not routinely. Sometimes OCC distributes the material externally to DoD (Washington Headquarters Service's Office of Security Review (OSR)) and the CIA Publication Review Board.

(U//~~FOUO~~) OCC processed 529 clearance cases public release for FY 2012. The trend over the last three years has been one of gradual increase, with OCC approximating growth at 10 percent per year (figure 1). We inquired about the reason for the higher number of submissions in 2009, but no definitive answer was available.

**Figure 1. Number of Public-Release Clearances, by Fiscal Year.**



**(U) Objective**

(U//~~FOUO~~) The inspection objective addressed in this report was to assess the effectiveness of NGA's process for clearing information for public release, as well as the agency's compliance with IC and DoD policies and directives.

**(U) Prior Evaluation Coverage**

(U) None

**(U) Criteria**

- ODNI Instruction 80.04, Pre-Publication Review of Unclassified Material For Official Dissemination, 5 August 2009 (U)
- (U) DoDD (DoD Directive) 5122.05, *Assistant Secretary of Defense for Public Affairs (ASD(PA))*, 5 September 2008 (U)
- DoDD 5230.09, *Clearance of DoD Information for Public Release*, 22 August 2008 (U)
- DoD Instruction (DoDI) 5230.29, *Security and Policy Review of DoD Information for Public Release*, 8 January 2009 (U)
- NGA Instruction (NI) 5720.1R10, *Clearance for Public Release*, 8 December 2008 (U)
- NI 5720.3R4, *Media and Public Interaction*, 16 January 2008 (U)
- NI 8955.6R3, *Disclosure and Release of Classified and Unclassified NGA Information, Data, Products, and Records*, 5 October 2006 (U)

## (U) INSPECTION RESULTS

### (U//~~FOUO~~) Finding 1. The NGA Clearance Process for Public Release Complies with Standards

(U//~~FOUO~~) NGA's clearance process for public release complies with DoD policy on the release of public information. Although the NGA release process closely resembles that of the Office of the Director of National Intelligence, DNI-level standards pertaining to prepublication review apply to only ODNI staff members, assignees, detailees, and contractors. OCC and NGA key components (KCs) are in compliance with the NGA Instruction governing the release of information to the public, as indicated by NGA's successful publication track record.

#### (U) Criteria

- ODNI Instruction 80.04, *Pre-Publication Review of Unclassified Material for Official Dissemination*, 5 August 2009, is limited in its application to personnel who receive access to classified information by the ODNI or who sign ODNI nondisclosure agreements. This instruction requires any such individual who prepares material for unclassified official publication or public dissemination, in any media form, to submit the material to the appropriate ODNI approval authority for prepublication review.
- ODNI Instruction 2007-6, *ODNI Pre-publication Review of Material Prepared for Public Dissemination*, 25 July 2007. This instruction's application is also limited to personnel actually assigned to the ODNI. The main difference from ODNI Instruction 80.04 is that 2007-6 explicitly addresses former staff of the ODNI while providing more detail on the mechanics of the ODNI prepublication review process.
- DoDD 5230.09, *Clearance of DoD Information for Public Release*, 22 August 2008. This directive states that any official DoD information intended for public release which pertains to military matters, national security issues, or subjects of significant concern to DoD shall be reviewed for clearance prior to release. It requires that the heads of the DoD components establish policies and procedures to implement the directive in their components. It also requires the component heads to forward official DoD information proposed for public release to the Director, Washington Headquarters Services (WHS) for review.
- DoDI 5230.29, *Security and Policy Review of DoD Information for Public Release*, 8 January 2009. This instruction requires the heads of the DoD components to forward specified official DoD information proposed for public release to the Chief, Office of Security Review (an element of WHS), for review and clearance. Enclosure 3 to this instruction provides detailed criteria for the information to be submitted. The instruction makes no explicit reference to information originating in a DoD component that is a member of the IC.

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- NGA's policy, NI 5720.1R10, Clearance for Public Release, 8 December 2008, mirrors the policies above. NGA employees, including contractors or personnel from other Federal agencies, private companies, or academic institutions exercising an NGA contract, a memorandum of understanding, a grant, or an agreement shall submit information intended for public release to the NGA organization with overall supervisory control of that agreement. That organization transmits the information to the appropriate OCC office via a signed copy of the NGA Form 5230-1. OCC coordinates review with OGC, SI, OIA, SMEs, WHS, or CIA Public Affairs. Reviewers return the reviewed information to OCC with recommendations. Any official DoD information intended for public release that pertains to military matters, national security issues, or subjects of significant concern to DoD shall be reviewed for clearance prior to release.

**(U) Compliance with ODNI Policy**

(U//~~FOUO~~) In reviewing ODNI standards for release of information to the public, we noted that current instructions applied to only ODNI staff members (past and present), assignees, detailees, and contractors, or persons whom ODNI had otherwise granted access to classified information or who had signed an ODNI nondisclosure agreement. The Director of the Intelligence Staff had signed both instructions, further demonstrating their ODNI-only scope. No one we interviewed at the DoD or ODNI level was aware of any ODNI prepublication review policies that apply to NGA, nor were the owner of the OCC process for clearing information for public release, his supervisor, or other NGA staff working the clearance process. In fact, OCC personnel acknowledged that NGA "rarely" deals with ODNI on public release. Whether NGA personnel were aware of ODNI's internal instructions was unclear, although those instructions are not binding on NGA. OCC leadership contended that their intent and expectation is for OCC processes to "strictly adhere" to DoD and ODNI policy.

**(U) Compliance with DoD Policy**

(U//~~FOUO~~) DoD policy requires any official DoD information intended for public release that pertains to military matters, national security issues, or subjects of significant concern to DoD to be reviewed for clearance prior to release. NGA applies this DoD policy within its own policy and in practice. NGA government employees initiate the clearance-for-release process by submitting an NGA Form 5230-1, Request for Clearance for Public Release, to their organization. Submitting organizations perform an initial internal review of the information prior to submitting it to OCCP. Contractors, personnel from other Federal agencies, private companies, and academic institutions exercising an NGA contract, a memorandum of understanding, a grant, or an agreement submit information intended for public release to the NGA organization with overall supervisory control of that agreement. That organization also transmits the information to OCC via a NGA Form 5230-1. Once OCC receives an NGA Form 5230-1 from an NGA organization, the staff coordinates a public-release review with OGC, SI, OIA, SMEs, and WHS or CIA Public Affairs, as applicable. Reviewers return reviewed information to OCCEP with recommendations..

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(U) The types of information that a DoD component is required to clear at the DoD-level through the Office of Security Review (OSR) are comprehensive. The categories of affected information include the following:

- Information that originates or is proposed for release in the National Capitol Region by senior personnel (such as flag officers and Senior Executive Service) on sensitive political or military topics.
- Information presented by a DoD employee who, by virtue of rank, position, or expertise, would be considered an official DoD spokesperson.
- Subjects involving command, control, communications, computers, and intelligence or information operations.

(U//~~FOUO~~) When cases need to go to DoD for review, OCC confirmed that they send them to OSR, in accordance with DoD policy. The NGA Public Release Officer has a working relationship with OSR staff on what they need and do not need to see. This understanding promotes timeliness, since OSR processing can add five, 10, or 15 working days to a release, depending on the type of material.<sup>2</sup> For example, if a case mentions the Naval Research Laboratory, and OCC has already coordinated with the Navy, OSR does not want to see it. The NGA Public Release Officer asserted that he has the latitude to decide whether to send cases to OSR. We asked whether OSR had provided anything in writing, such as an e-mail, giving him this kind of delegation. He stated that he had nothing in writing—it was just an understanding.

**(U) Compliance with NGA Policy**

(U//~~FOUO~~) The compliance of OCC and the KCs with NGA public release policy and procedures—as well as their effectiveness—is indicated by NGA's successful publication track record. No known failures to catch classified information in a review have occurred, and no information has been found to be classified after it was published. The process owners stated that in 10 years of working for OCC, they had "never released anything from OCC that turned out to be classified—never." Multiple sources, including some outside of OCC, opined that the clearance process for public release is sound, one describing it as a "well-oiled machine." Another stated that the process, when used, provides a good balance and protects NGA's information.

(U//~~FOUO~~) Although OCC's processes comply with NI 5720.1R10, the instruction itself could be updated and its details expanded. For example, as acknowledged by OCC personnel, specifics as to what NGA reviewers actually look for in a review are only partially listed in the current instruction. In addition, some terminology is out of date. While the instruction refers to coordination with the CIA Public Affairs Office, the entity that OCC works with is the CIA Publication Review Board. OCC staff cited a lack of personnel assigned to work the OCC clearance process for public release as a reason why the NI had not been updated. We also observed that updates for the NI and manual governing the media function had been drafts for more than a year. The draft NI is currently back with OCC awaiting the inclusion of an executive summary.

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2. (U) DoDI 5230.29, enclosure 3, paragraph 3.a.

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**(U) Recommendation**

(U) None. (We address the update of the NGA Instruction on clearance for public release in Finding 2 below.)

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**(U//~~FOUO~~) Finding 2. NGA and KC Clearance Procedures for Public Release Need More Comprehensive Documentation**

(U//~~FOUO~~) The consistency and continuity of the NGA clearance process for public release are at risk due to the unevenness of procedural documentation at the NGA and key-component levels. OCC staff acknowledged that the NI governing the process could more effectively delineate the factors that a review is supposed to examine. Of six organizations that regularly support OCC in the release process, only the Sourcing and Security Policy Team and Security Education and Awareness Branch have documented their review procedures, and the latter's is in draft form. NGA risks losing the vast corporate knowledge and experience of employees who are currently responsible for the process if the agency does not capture the procedures prior to their departure.

**(U) Criteria**

- DoDD 5230.09, *Clearance of DoD Information for Public Release*, 22 August 2008
- DoDI 5230.29, *Security and Policy Review of DoD Information for Public Release*, 8 January 2009
- NI 5720.1R10, *Clearance for Public Release*, 8 December 2008

**(U) Documentation of Release Procedures**

(U//~~FOUO~~) As stated in Finding 1, OCC has effective public release procedures, but the documentation lacks comprehensiveness and needs to be updated. OCC instead relies on procedures and specifics that are spread out among the NI, training briefings, and e-mails. We asked the OCC process owners if they used any official checklists or standard operating procedures beyond the current NI. They stated that there were not any, while acknowledging that the processes were "not very well" described in the current instruction. Another person working the process within OCC conceded that the process is not well documented and would be difficult to replicate in the absence of the OCC personnel assigned to it. Reviewers for the OPSEC function told us that they had submitted some suggested changes for the NI to OCC, including recommendations for more emphasis on the use of NGANet to process packages and more visibility of other reviewers' comments, but had not yet seen evidence of a revision.

(U//~~FOUO~~) Public-release clearances include verification of appropriateness from the legal, OPSEC, counterintelligence, and sources and methods standpoints. But no comprehensive checklist or guideline stated what exactly needs to be reviewed in these areas at the OCC level, or for the most part within the six other reviewing organizations. There were two exceptions. A's Sourcing and Security Policy Team has documented the procedures it uses to review proposed releases of information to the public. The Office of Security's OPSEC function has also documented its procedures, albeit in draft. Among the remaining review functions, the Counterintelligence Threat Mitigation Center (SIC) had not documented procedures for reviewing releases from the counterintelligence standpoint. OGC had not documented the procedures it uses to

screen releases for potential copyright infringement, licensing issues, and other legal concerns. Lastly, OIA had not established repeatable procedures for looking at releases from an imagery sources and methods standpoint. Without documentation, these organizations are relying on the corporate knowledge and personal judgment of the individuals performing the task, rather than promoting continuity of operations. The remaining review function is performed by the Classification Management team, which uses 56 existing classification guides in making their determinations.

**(U) Routing Release Packages**

(U//~~FOUO~~) The need for timely processing and conservation of resources means that not all reviewers see all release packages. The OCC process owner reported that OIA and OGC have provided the latitude, when their involvement would be only a "paper drill" or a "waste of time," for OCC to take a "mutual risk," based on OCC judgment, to release information without their input. OIA confirmed the existence of verbal agreements with OCC on which types of cases they considered relevant for OIA review. The process owner also stated that the CI function was generally never bypassed, and therefore no bypass criteria were needed for that function. Similarly, since the Classification Management team reviews packages only by exception, bypass criteria do not apply to that function, either. No reviewer from the CI or classification management functions expressed concern that they were not seeing packages they needed to see. An OCC e-mail sent to public-release clearance teams further documents that routing to and review by the A's Sourcing and Classification Branch and the Office of Security's Classification Management Branch are optional "as appropriate." OCC intends to change the wording of the NI to reflect these established practices of routing to particular offices "as needed," when the subject matter appears to be relevant.

**(U) Reviews of Retiree Publications**

(U//~~FOUO~~) An additional concern involves the absence of a process for review of the intended publications of retired employees. NGA employees, current and retired, are bound by standard nondisclosure agreements for sensitive compartmented information to submit reviews of "any writing or other preparation in any form, including a work of fiction." In addition, retirees cannot disclose information without written authorization from the department or agency that last authorized access. A process for a retired NGA employee to submit a review is absent. The current public release NI does not address procedures for retirees. Such procedures will require agreement between OCC and SIS on how to ingest submissions and perform the necessary security reviews. In addition, the Human Development Directorate HD will need to highlight this process to individuals as they out-process, including instructions on how to submit intended publications for review.



**(U) Contributing Factors**

(U//~~FOUO~~) Resource constraints and a heavy workload have prevented work on improving the NI for the clearance process for public release. The number of public release cases has been increasing for the last three years. The total for FY 2012 was 529. Employees acknowledged that the NI needs to be updated, but there has not been time due to lack of staff.

**(U) Impact of Lack of Comprehensive Documentation**

(U//~~FOUO~~) Although the NGA clearance process for public release has been effective, it relies on the strength of the corporate knowledge held by the leads for prepublication reviews. The review process, especially within the key components, is not well documented and would be difficult to replicate in the absence of the primary reviewers. Without well-documented, published procedures, NGA runs a risk that employees will overlook public-release procedures and subsequently increase the risk of unauthorized disclosures, spills, and leaks to the media.

**(U) Recommendations**

(U) For the Director, Office of Corporate Communications, with collaboration from the Office of Geospatial-Intelligence Management and the Director, Human Development:

(U//~~FOUO~~) **Recommendation 1.** Update the NGA Instruction governing the clearance process for public release. At a minimum, this update should include the following:

- A. Procedures that address the specific areas of focus within the clearance process, such as branding, licensing agreements, copyright infringement, trademark application, terms of use, classification, sources and methods, and intelligence oversight.
- B. A flow diagram that depicts how OCCP receives proposed releases and then routes them among the various review functions. Consider including decision trees to highlight specific criteria to be reviewed in such areas as legal, licenses, classification, and sources and methods.
- C. A requirement that each key component which regularly participates in the review process develop supporting standard operating procedures that ensure continuity of the process within its segments of review.
- D. Clarification of which offices and functions review packages on an as-needed basis, and guidelines on the types of packages that each considers to be relevant.
- E. A process by which NGA retirees would submit intended publications to OCCP for a classification review to be conducted by SIS. The process should address

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the means that retirees should use to submit intended publications, as well as key roles of other key components, such as HD and OGC.

(U) For the Director, Office of Corporate Communications:

(U//~~FOUO~~) **Recommendation 2.** Consider resourcing OCCP with a full-time, permanent Pay Band 3 position, versus the current rotational person, to assist in working the clearance process for public release. This resourcing would mitigate the workload while helping to maintain process continuity.

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**(U//~~FOUO~~) Finding 3. The Clearance Program for Public Release Lacks Effective Communications Outreach**

(U//~~FOUO~~) The Office of Corporate Communications lacks an effective outreach program for communicating and reinforcing the requirements and procedures of the clearance program for public release to the NGA work force. Although no standard requires such outreach, this shortcoming increases the risk of unintended, unauthorized disclosures of classified and sensitive information, including media leaks.

**(U) Criteria**

- NGA Instruction 5720.1R10, *Clearance for Public Release*, 8 December 2008
- SCI Nondisclosure Agreement Form 4414 (EF) includes a provision whereby employees agree to submit "any writing or preparation in any form" that contains sensitive classified information for "security review by the department or agency that last authorized" the employee's access to SCI.

**(U) Current Approach**

(U//~~FOUO~~) The primary means of communicating the clearance requirements for public release are NI 5720.1R10 and NGA Form 5230-1, both of which are available through OCC Web links. OCC has a module within OIA's quarterly disclosure and release training, which may cover the release review process. Annual counterintelligence briefs reinforce the need to abide by nondisclosure agreements. However, these communications techniques either require an employee to go looking for the information or are limited in scope. All stop short of outreach.

(U//~~FOUO~~) In our Interviews, we asked Public Affairs Officers and persons working within the clearance process how effectively process requirements are communicated to the NGA work force. The responses of Public Affairs Officers ranged from "inadequate" to "it's OK," but needs to do more. One OCC process worker acknowledged that communication of public-release requirements to employees was a "weakness of the program." While this person pointed out OCC participation in NGA's Disclosure and Release training, he conceded that there is "no semblance" of an awareness campaign per se. In fact, a key stakeholder stated that the lack of an awareness campaign was the "one regret" and the "Achilles' heel" of the public-release program. According to this viewpoint, OCC has had the tools, but not the time.

(U//~~FOUO~~) Persons working segments of the clearance process for public release within the KCs had mixed opinions about the effectiveness of communications, but only one believed they were adequate. An OGC reviewer thought the awareness program was fine, while a reviewer in classification management thought that communication was "not well at all." A person who reviews materials for sources and methods thought that "the policy is there, but maybe not enough employees know where to go if you want to publish" an article or paper.

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(U//~~FOUO~~) Two recent D-Malls (from the Director) on the topic of unauthorized disclosures have reinforced the need for employees to use OCC as the focal point for media relations but did not discuss the clearance process for public release.

**(U) Contributing Factors to Lack of Outreach**

(U//~~FOUO~~) Personnel constraints and heavy workload have prevented work on communicating the public-release process to NGA employees. The number of cases processed within FY 2012 was 529. Until June 2012, the public release officer was "an army of one," whereas two years ago his function was staffed with "two and half" people. People within OCC working the clearance process assert that the function is "definitely at least a two-person job." The agency's team for media once had five people but is now down to three.

**(U) Impact of Lack of Outreach**

(U//~~FOUO~~) The process for reviews relies on NGA employees submitting to and using the clearance process to release information to the public. If employees are not regularly reminded of their obligation to submit materials they intend to publish for clearance by OCC or are not clearly told how to initiate the clearance process, the risk of unauthorized disclosure is increased.

**(U) Recommendations**

(U) For the Director, Office of Corporate Communications:

(U//~~FOUO~~) **Recommendation 3.** Implement a systematic awareness campaign regarding public-release clearance procedures. This campaign should maximize use of the graphic representations of process flows and decision trees developed in conjunction with recommendation 1. These decision trees and checklists should address specific areas of review, including, but not limited to, legal, licenses, classification, and sources and methods.

(U//~~FOUO~~) **Recommendation 4.** Coordinate with the National Geospatial-Intelligence College to develop a training module on public-release clearance to be delivered either as part of annual Information Assurance training or as a separate annual training requirement.

(U) For the Director, Office of Corporate Communications, with collaboration from the Office of Geospatial-Intelligence Management:

(U//~~FOUO~~) **Recommendation 5.** Tie OCC public-release outreach efforts into existing approval processes for training, travel, and conferences. Work with the owners of these approval processes to require evidence of an OCC review or employee acknowledgement of nondisclosure agreements in the circumstances below or similar situations:

- An employee requests travel to make a speech or conference presentation or serve on a discussion panel. In these instances, travel would not be approved until OCC had reviewed the employee's speech, presentation slides, and talking points.
- An employee requests attendance in an academic program likely to involve production of academic papers or products drawing on sensitive, intelligence-related experience or sources and methods. In these instances, participation would not be approved until the employee had reviewed relevant nondisclosure agreements.

(U//~~FOUO~~) To ensure that these situational reviews are sustained, OCC should work with the respective approval-process owners to codify the OCC review requirement within its particular NGA Instruction or authoritative guideline.

(U) For the Director, Office of Security:

(U//~~FOUO~~) **Recommendation 6.** Consider requiring NGA employees to review and sign nondisclosure agreements on a recurring basis, for example, every two or three years, in order to remind employees of the terms of the agreement.

#### **(U) Finding 4. The Clearance Process for Public Release Presents Risks That Should Be Mitigated**

(U//~~FOUO~~) The inspection noted two risks posed by current public-release processes. First, the processing of the majority of requests for public release on the Sensitive But Unclassified (SBU) network presents a risk of classified information spillage in the event that presubmission reviews fail to identify the presence of classified information. Second, the release of individual pieces of information, without regard to the cumulative ("mosaic") effect of multiple pieces of information released over time, presents a risk of compromise. OCC is currently implementing a Statement of Intent designed to integrate reviews for public release and public-affairs messaging, which were previously mostly separate.

##### **(U) Criteria**

- DoDD 5230.09, *Clearance of DoD Information for Public Release*, 22 August 2008
- DoDI 5230.29, *Security and Policy Review of DoD Information for Public Release*, 8 Jan 2009.
- NI 5720.1R10, *Clearance for Public Release*, 8 December 2008.

##### **(U) Risk of Classified Information Spillage**

(U//~~FOUO~~) The public-release process relies on an initial review by the submitting organization to certify that all material in a proposed release is, in fact, unclassified and not sensitive. NI 5720.1R10 specifies that this screening be performed by "an approving official in the submitting organization with *appropriate expertise and authority*" (emphasis added) to make the determination. In contrast, block 3 of the NGA Form 5230-1 submission form, which certifies the organizational review, defines the approving authority as being the "submitter's supervisor (or Contracting Officer)." On the basis of the signature of the submitter's supervisor, the material enters the approval process with a presumption by OCC that it is unclassified. While NI 5720.1R10 requires the submission of five paper copies to OCC for reviewers' use, the NI alternatively allows submission via e-mail.

(U//~~FOUO~~) According to process owners, 80 percent of packages to be reviewed for public release are submitted via e-mail on the SBU network. OCC receives prepublication review requests via e-mail (predominantly SBU but also NGANet).

(U//~~FOUO~~) OIA personnel expressed concerns about the current procedure, stating that they would prefer submissions on the NGANet versus the SBU. Use of the NGANet would avoid unintended or uncaught spillage of classified information should a mistake be made in the submission process.

(U//~~FOUO~~) Security personnel also expressed concerns about the use of SBU e-mails, confirming that OCC and SIC do most public release coordination via e-mail. The

requests normally come into SIC over the SBU, because this is how OCC gets it from the submitter. (The submitters think that the package is unclassified). A security official reported two spillages of classified information onto the SBU from public release packages. This same individual also pointed out a further drawback of processing packages on the SBU—one cannot express concerns of suspected security issues, which makes containing the spill more difficult.

#### **(U) Contributing Factors to Spillage Risk**

(U//~~FOUO~~) Although NI 5720.1R10 requires initial review by an official with "appropriate expertise and authority," NGA Form 5230-1 requires only the signature of the submitter's supervisor. The required level of expertise may not be inherent in the supervisor's position. Although the supervisor's signature provides a degree of assurance that due diligence was performed in the review, exactly who screened the submission for classification and sensitivity is not documented. A possibility therefore remains that the reviewer missed elements of classified information and that e-mailing the information through the SBU network would create a spill.

(U//~~FOUO~~) OCC believed that IT system limitations would not allow *efficient* transfer of review cases between the SBU and classified domains, especially for large files.

#### **(U) Impact If Not Mitigated**

(U//~~FOUO~~) The employees whom we interviewed verified at least two spillages of classified information onto the SBU network from a public release package.<sup>3</sup> Analysis and containment of SBU spillages are difficult since one cannot express concerns of possible security issues on the low side. If the SBU continues to be the predominant domain for receiving and reviewing materials proposed for public release, the risk will remain for inadvertent spillage of classified information. We did not attempt to conduct a cost-benefit analysis to compare the benefits of requiring most requests for public release to be submitted and processed in a classified domain. Although uploading unclassified materials to the NGANet through the one-way transfer process is fairly easy, the process of returning the approved release back to the SBU for actual publication is more time and resource intensive.

#### **(U) Risk of Compromise**

(U//~~FOUO~~) Throughout our interviews, we noted that public-release clearances are conducted on each document individually, without a retroactive, holistic look. The process is based on the review of individual items and cases. The reviewers check to see that the submitter "didn't go over the line on this particular thing." Were released

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3. (U//~~FOUO~~) While we did not research the particulars of these spillages, we note that the process relies on a submitter's management to verify material that is unclassified before endorsing it for submittal to OCC. Due to the volume of submissions, OCC cannot be expected to independently vet management's certification that material is unclassified. This is a further argument for moving the submission process to the NGANet side.

documents to be combined with other previously released information, the result could be a "mosaic effect" where the information becomes sensitive or even classified in aggregate. These combined releases result in "a lot of ink out in multiple forums" that, if put together, could go too far in the aggregate. The issue is the lack of visibility on the whole of information released over time.

(U//~~FOUO~~) SIC publishes a biweekly summary of NGA-related information gleaned from daily open-source searches of media outlets. This publication is known as "Pandora." We asked whether the Pandora program could be used to "assemble the mosaic," that is, to assemble the 150 or so pieces of information released over six months to see if any sensitive information emerged. The answer was yes, although this was not an original intent of the program. So far, the CI Detections Branch (SICDA) is "just collecting" the information. The next step would be to report information in a briefing along the following line: "Over the course of time, these items were released, and we pieced together *this*,"—a composite revealing sensitive and classified information.

#### **(U) Contributing Factors to Compromise Risk**

(U//~~FOUO~~) The main cause of the mosaic-effect risk is that the public release clearance process focuses on one document at a time. As expressed by an OCC manager, "There's a very structured process on how to do public release clearances, but if you're looking down in the weeds—you might miss the forest for the trees." The process is "focused on a granular view of each piece." A second cause is that NGA has not dedicated staff to review released items in aggregate. Addressing this problem is a resourcing issue for OCC and security. What would be needed would be to go back six months or a year and determine the collective mosaic released—and to keep track of this issue from then on.

#### **(U//~~FOUO~~) Efforts to Integrate Public-Release and Public-Affairs Reviews**

(U//~~FOUO~~) The processes for public-release clearances and media and public interactions are managed via two separate NIs (NI 5720.1R10 and NI 5720.3R4, respectively). As described by OCC leadership, the media approval and public release processes have been run in parallel, with no systemic point of interface. A de facto interface was provided by one employee, who worked part time in public release and part time in media relations. This situation is being addressed by a recent OCC reorganization that physically relocated public-release staff, along with a new strategic intent to integrate public-release and public-affairs processes.

(U//~~FOUO~~) When asked about changes they would like to see in the public-release clearance process, OCC employees said they would like a more integrated OCC organization. At the time of our interviews, the public-release personnel were not located with the media relations individuals. Employees confirmed that the physical separation isolated the clearance process for public release from the rest of media relations. OCC eliminated the location problem during the course of the inspection by



physically relocating public release personnel to a common area within OCC's seventh-floor offices.

(U//~~FOUO~~) During our interviews, other OCC employees observed that "the review process needed to be an integral part of the public affairs process and accessible to everyone" and include working public affairs issues. Although some personnel perceived that the database for prospective media releases was accessible only to public-release personnel and not to personnel working public affairs, the process owner confirmed that access was made available to all OCC personnel approximately two years ago. Remaining at issue is ease of access to the information.

(U//~~FOUO~~) Finally, several employees shared that, in their experience, public release procedures and personnel were "normally under the public affairs purview" and stressed the importance of all public releases having a consistent theme that is vetted against the strategic messages of the agency. Especially within DoD, public release and public affairs "work hand-in-hand." With that in mind, the feeling was that the clearance process in place up to the time of the inspection was too "tactical." It focused on the security-review aspects without taking into account the corporate message. One employee opined that the clearance process for public release was too far in the weeds and not well integrated with the public affairs processes.

(U//~~FOUO~~) We note that the Director, OCC is implementing a Statement of Intent that directly addresses the above issues of integration. The statement, published in August 2012, is oriented on promoting a public release program that more effectively includes all concerned NGA equities. The relevant portion reads, "OCC will build upon its existing security and public release process to develop an integrated OCC review that includes visual identity and messaging consistency in addition to the traditional security, legal and disclosure reviews." OCC expects the initial concept to be completed by 31 March 2013, with full implementation projected no later than 30 June 2013.

#### **(U) Recommendations**

(U) For the Director, Office of Corporate Communications:

(U//~~FOUO~~) **Recommendation 7.** Mitigate the risk of SBU spillage by including in the revised NI 5720.1 the requirement to maximize coordination of public-release clearances on classified networks as a safeguard against unintended spillage. At a minimum, submissions originating at the NGA Campus East or West should be required to be submitted via NGANet. Consider an increased use of SharePoint for greater coordination among reviewers once OCC receives the submission.

(U//~~FOUO~~) **Recommendation 8.** Continue to implement the OCC Director's Statement of Intent in regard to developing an integrated OCC review that builds upon existing processes for public release and public-affairs messaging.

(U) For the Director, Security and Installations:

(U//~~FOUO~~) **Recommendation 9.** Mitigate the risk of the piecemeal release of sensitive information by formally assigning a "mosaic-analysis" function to an element within the directorate. The office executing such an approach would compile a mosaic using information released through the OCC process and then vet proposed further releases for the likelihood that they could provide a critical piece of the puzzle to an adversary. One possibility would be to assign this task to the CI Activities Branch, to be fulfilled through its Pandora program or a similar approach.

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**(U) Appendix A. Recommendations and Benefits**

Recommendation	Description of Benefits
<b>(U) For the Director, Office of Corporate Communications, with collaboration from the Office of Geospatial-Intelligence Management and the Human Development Directorate</b>	
<p>1. (U//<del>FOUO</del>) Update the NGA Instruction governing the clearance process for public release. At a minimum, this update should include the following:</p> <p>A. Procedures that address the specific areas of focus within the clearance process, such as branding, licensing agreements, copyright infringement, trademark application, terms of use, classification, sources and methods, and Intelligence oversight.</p> <p>B. A flow diagram that depicts how OCCP receives proposed releases and then routes them among the various review functions. Consider including decision trees to highlight specific criteria to be reviewed in such areas as legal, licenses, classification, and sources and methods.</p> <p>C. A requirement that each key component which regularly participates in the review process develop supporting standard operating procedures that ensure continuity of the process within its segments of review.</p> <p>D. Clarification of which offices and functions review packages on an as-needed basis, and guidelines on the types of packages that each considers to be relevant.</p> <p>E. A process by which NGA retirees would submit intended publications to OCCP for a classification review to be conducted by SIS. The process should address the means that retirees should use to submit intended publications, as well as key roles of other key components, such as HD and OGC.</p>	<p>Nonmonetary— Enhance Management Controls</p> <p><i>Enhances the consistency, continuity, and comprehensiveness of NGA's clearance process for public release.</i></p>
<b>(U) For the Director, Office of Corporate Communications, with collaboration from Office of Geospatial-Intelligence Management</b>	
<p>5. (U//<del>FOUO</del>) Tie OCC public-release outreach efforts into existing approval processes for training, travel, and conference attendance. Work with the owners of the approval process for these events to include a step for OCC review and to include this requirement within future revisions of their particular NGA Instruction or authoritative guideline.</p>	<p>Nonmonetary—Improve Program Results</p> <p><i>Improves the effectiveness of public-release outreach through integration with existing processes.</i></p>

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Recommendation	Description of Benefits
<b>(U) For the Director, Office of Corporate Communications</b>	
<p>2. (U//<del>FOUO</del>) Consider resourcing OCCP with a full-time, permanent Pay Band 3 position, versus the current rotational person, to assist in working the clearance process for public release. This resourcing would mitigate the workload while helping to maintain process continuity.</p>	<p>Nonmonetary—Improve Program Results</p> <p><i>Improves responsiveness to increasing workload while promoting process continuity.</i></p>
<p>3. (U//<del>FOUO</del>) Implement a systematic awareness campaign regarding public-release clearance procedures. This campaign should maximize use of the graphic representations of process flows and decision trees developed in conjunction with recommendation 1. These decision trees and checklists should address specific areas of review, including, but not limited to, legal, licenses, classification, and sources and methods.</p>	<p>Nonmonetary—Improve Program Results</p> <p><i>Improves employee awareness of clearance requirements and procedures and effectiveness of reviews by key component support of the OCC process.</i></p>
<p>4. (U//<del>FOUO</del>) Coordinate with the National Geospatial-Intelligence College to develop a training module on public-release clearance to be delivered either as part of annual Information Assurance training or as a separate annual training requirement.</p>	<p>Nonmonetary—Improve Program Results</p> <p><i>Improves employee awareness of clearance requirements and procedures.</i></p>
<p>7. (U//<del>FOUO</del>) Mitigate the risk of SBU spillage by including in the revised NI 5720.1 the requirement to maximize coordination of public-release clearances on classified networks as a safeguard against unintended spillage. At a minimum, submissions originating at the NGA Campus East or West should be required to be submitted via NGANet. Consider an increased use of SharePoint for greater coordination among reviewers once OCC receives the submission.</p>	<p>Nonmonetary—Enhance Management Controls</p> <p><i>Mitigates the risk of classified spillage on the SBU network.</i></p>
<p>8. (U//<del>FOUO</del>) Continue to implement the OCC Director's Statement of Intent in regard to developing an integrated OCC review that builds upon existing processes for public release and public-affairs messaging.</p>	<p>Nonmonetary—Improve Program Results</p> <p><i>Improves the effectiveness and comprehensiveness of reviews in support of the OCC mission.</i></p>
<b>(U) For the Director, Office of Security</b>	
<p>6. (U//<del>FOUO</del>) Consider requiring NGA employees to review and sign nondisclosure agreements on a recurring basis, for example, every two or three years, in order to remind employees of the terms of the agreement.</p>	<p>Nonmonetary—Improve Management Controls</p> <p><i>Reinforces employees' awareness of nondisclosure responsibilities and compliance requirements.</i></p>

Recommendation	Description of Benefits
<b>(U) For the Director, Security and Installations</b>	
<b>9. (U//<del>FOUO</del>)</b> Mitigate the risk of the piecemeal release of sensitive information by formally assigning a "mosaic-analysis" function to an element within the directorate. The office executing such an approach would compile a mosaic using information released through the OCC process and then vet proposed further releases for the likelihood that they could provide a critical piece of the puzzle to an adversary. One possibility would be to assign this task to the CI Activities Branch and its Pandora program.	Improve Management Controls  <i>Mitigates the risk of piecemeal release of sensitive information.</i>

## **(U) Appendix B. Scope and Methodology**

### **(U) SCOPE**

(U) The inspection team reviewed the planning, oversight, and processes for NGA's clearance process for public release. The scope included agency-level processing of clearance requests within OCC, as well as processes used within collaborating KCs, including SIC, SIS, OGC, OIA, and A.

(U) The inspection team reviewed NGA policy and procedures as well as the compliance with IC and DoD policies and directives. The organizational scope included all KCs having offices involved with public release.

### **(U) METHODOLOGY**

(U//~~FOUO~~) The inspection team reviewed criteria documents as well as professional literature describing clearance processes for public release throughout the IC and DoD. We conducted structured interviews with process owners and stakeholders to assess the efficiency and effectiveness of the process. We interviewed program managers and KC points of contact to determine to what extent clearance processes for public release were understood, feasible, and in use within NGA, as well as any actual or anticipated hindrances.

(U//~~FOUO~~) The inspection team drew conclusions on implementation, efficiency, and effectiveness of the process.

(U) This inspection was conducted in accordance with the CIGIE *Quality Standards for Inspections and Evaluations*, of the Counsel of Inspectors General for Integrity and Efficiency.

**(U) Appendix C. Abbreviations**

(U) DoDD	DoD Directive
(U) DoDI	DoD Instruction
(U) IC	Intelligence Community
(U) ICD	Intelligence Community Directive
(U) IG	Inspector General
(U) NGA	National Geospatial-Intelligence Agency
(U) NI	NGA Instruction
(U) OCC	Office of Corporate Communications
(U) OCIO	Office of Chief Information Officer
(U) ODNI	Director of National Intelligence
(U) OGC	Office of General Counsel
(U) OIA	Office of International Affairs
(U) OIG	Office of the Inspector General
(U) SBU	Sensitive But Unclassified
(U) SI	Security and Installation Operations Directorate
(U) SICDA	Threat Detection Division, CI Activities
(U) SIO	Installation Operations Office
(U) SIOL	Protective Services Division
(U) SME	subject matter experts
(U) WHS	Washington Headquarters Services



**(U) Appendix D. Report Distribution**

- (U) Director, NGA
- (U) Deputy Director, NGA
- (U) Chief Operating Officer
- (U) Director, Office of Corporate Communications
- (U) Director, Security and Installations
- (U) Director, Office of Geospatial-Intelligence Management
- (U) Director, Human Development
- (U) General Counsel
- (U) Director, Analysis
- (U) Chief Financial Executive
- (U) Director, Office of Security
- (U) Director, Counterintelligence Threat Mitigation Center

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